

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

VOLUME 10      NUMBER 174

*Washington, Wednesday, September 5, 1945*

## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

##### Subchapter D—Federal Intermediate Credit Banks

#### PART 42—LOANS AND DISCOUNTS

##### MATURITIES OF NOTES DISCOUNTED OR ACCEPTED AS COLLATERAL FOR LOANS

Section 42.304, Title 6, Code of Federal Regulations, is amended by adding thereto a new paragraph (c) to read as follows:

#### § 42.304 *Maturities.* \* \* \*

(c) *Notes guaranteed under Servicemen's Readjustment Act of 1944.* Notes or other obligations which are guaranteed under the provisions of the Servicemen's Readjustment Act of 1944 (Public Law 346, 78th Congress, approved June 22, 1944), as amended, and which are otherwise eligible under the laws and regulations governing the Federal intermediate credit banks, may be discounted, purchased, or accepted as collateral for loans, when such notes or other obligations mature in not to exceed three years from date of acquisition or acceptance by a Federal intermediate credit bank.

(Sec. 209, 42 Stat. 1459, sec. 2, 46 Stat. 816; 12 U.S.C. 1101, 1033; E.O. 6084, Mar. 27, 1933, 6 CFR 1.1; 6 CFR 3.30)

[SEAL]      GEO. M. BRENNAN,  
*Intermediate Credit Commissioner.*

[F. R. Doc. 45-16425; Filed, Sept. 1, 1945;  
11:13 a. m.]

#### Chapter II—Department of Agriculture, Commodity Credit Corporation

#### PART 262—BEEF CATTLE PRODUCTION PAYMENTS

##### OFFER TO MAKE BEEF CATTLE PRODUCTION PAYMENTS

The offer to make beef cattle production payments, as amended (10 F.R. 7081, 9381), issued June 11, 1945, is hereby further amended in the following respects:

1. Section 262.2 *Definitions*, is amended to read as follows:

§ 262.2 *Definitions.* As used in this offer:

(a) The term "legally authorized slaughterer" means:

(1) Any person who is operating as a slaughterer under Federal Meat Inspection pursuant to the act of May 4, 1907 (34 Stat. 1260), as amended, 21 U.S.C., 71, and as extended by the act of June 10, 1942 (56 Stat. 351), or

(2) Any person who is registered as a slaughterer and has been assigned a quota base pursuant to the regulations of the Office of Price Administration, or

(3) Any person who is certified pursuant to the provisions of War Food Order 139, as amended.

(b) The term "eligible beef animal" means any bovine animal in either of the following classes:

(1) An animal which:

(i) Was sold at not less than the minimum price for the zone in which the animal was sold, as shown in Schedule A attached hereto,

(ii) Was owned by the seller for not less than 30 days immediately preceding such sale,

(iii) At the time of sale weighed 800 pounds or more live weight or was one of a lot of animals of similar weight and grade included in one weighing and averaging 800 pounds or more live weight each, and

(iv) Was sold during the period beginning May 19, 1945 and ending June 30, 1946, to a legally authorized slaughterer for slaughter or to a person who has delivered such animal to such a slaughterer for slaughter within 20 days after such sale but not later than June 30, 1946.

(2) An animal raised by a legally authorized slaughterer or an animal purchased for feeding for a period of 30 days or more by a legally authorized slaughterer and certified as purchased for feeding by the buyer thereof (which certificate shall be countersigned by the seller) which animal:

(i) Has been held and fed by such slaughterer for not less than 20 days immediately preceding slaughter,

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### NOTICE

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A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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(ii) Has been slaughtered by such slaughterer during the period beginning May 19, 1945 and ending June 30, 1946,  
 (iii) Weighed at the time of slaughter not less than 800 pounds live weight, and  
 (iv) Yielded a beef carcass grading A or AA.

(c) The term "eligible feeder" means any person who has purchased or has raised a beef animal, which animal:

(1) Was sold by such person during the period beginning May 19, 1945 and ending June 30, 1946 to a legally authorized slaughterer for slaughter or to another person who has delivered such animal to a legally authorized slaughterer for slaughter within 29 days after such sale but not later than June 30, 1946,

(2) Was owned by such person for not less than 30 days immediately preceding such sale,

(3) At the time of such sale was an eligible beef animal, and

(4) If such person is a legally authorized slaughterer such animal when purchased by such person either weighed less than 800 pounds live weight, was purchased by him for less than the minimum price as shown in Schedule A attached hereto for the zone in which the purchase took place, was purchased before May 19, 1945, or was purchased for feeding for a period of 30 days or more and so certified by such person (which certificate shall be countersigned by the seller).

(d) The term "eligible feeder-slaughterer" means a legally authorized slaughterer who has slaughtered during the period beginning May 19, 1945 and ending June 30, 1946 a beef animal which:

(1) Was raised by him or was purchased by him but if purchased after May 18, 1945 was not an eligible beef animal at the time of purchase,

(2) Was held and fed by him for not less than 30 days immediately preceding slaughter, and

(3) Was an eligible beef animal at the time of slaughter.

(e) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons either incorporated or not and includes the states and any subdivision thereof.

2. Section 262.6 is amended to read as follows:

§ 262.6 *Prerequisites to payments.* Payment hereunder will be made to any eligible feeder or feeder-slaughterer who:

(a) Files an application for payment in such form as shall be approved or prescribed by Commodity with the County AAA Committee in the county in which the feeder or feeder-slaughterer's farm, ranch, or feed lot is located (or such other place as Commodity may designate),

(b) Supplies with such application for payment evidence with respect to his eligibility to receive payment as provided in this offer which the County AAA Committee determines to be satisfactory pursuant to instructions approved by Commodity, and

(c) Files such application within 60 days after date of sale or slaughter, or on or before October 31, 1945, whichever is later (unless such time is, for cause, extended by Commodity).

This amendment shall become effective June 11, 1945.

(56 Stat. 767; Pub. Law 30, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681, OES Dir. 55, 10 F.R. 6595, 8906)

Issued this 31st day of August 1945.

[SEAL] COMMODITY CREDIT CORPORATION,  
G. G. ARMSTRONG,  
Vice-President.

Attest:

MARGARET W. SAMUELS,  
Secretary.

[F. R. Doc. 45-16424; Filed, Sept. 1, 1945; 11:13 a. m.]

## TITLE 7—AGRICULTURE

### Chapter XI—War Food Distribution Orders

[WFO 30, as Amended, Termination]

#### PART 1406—DEHYDRATED FRUIT, VEGETABLES, AND CROPS

##### DEHYDRATED VEGETABLES REQUIRED TO BE SET ASIDE

War Food Order No. 30, as amended (8 F.R. 3385, 7627, 13378, 16887; 9 F.R. 4321, 4319, 6007, 9584; 10 F.R. 103, 126), together with the order (9 F.R. 8173) issued pursuant to said War Food Order No. 30, as amended, is terminated as of 12:01 a. m., e. w. t., September 1, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 30, as amended, and the order issued pursuant thereto as aforesaid, prior to the effective time of this termination order, all provisions of said War Food Order No. 30, as amended, and the said order issued pursuant thereto in effect prior to the effective time of this termination order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 1st day of September 1945.

[SEAL] J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-16422; Filed, Sept. 1, 1945; 11:12 a. m.]

[WFO 140, Termination]

#### PART 1410—LIVESTOCK AND MEATS

##### RESTRICTIONS ON SHIPMENT OF LAMBS

War Food Order No. 140 (10 F.R. 9206) is hereby terminated.

This order shall become effective at 12:01 a. m., E. w. t., September 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 140, all provisions of said order

shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 1st day of September 1945.

[SEAL] J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-16423; Filed, Sept. 1, 1945; 11:12 a. m.]

[WFO 15-18, Amdt. 1]

#### PART 1401—DAIRY PRODUCTS

##### CHEDDAR CHEESE

War Food Order No. 15-18, as amended (10 F.R. 9066, 10419), is hereby further amended by deleting the phrase "; and (2) in September, 50 percent." at the end of § 1401.200 (b) thereof and inserting, in lieu of such deleted phrase, the following phrase: "; and (2) in September, 40 percent."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., September 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 15-18, as amended, prior to the effective time of the provisions hereof, the provisions of the said War Food Order No. 15-18, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087; WFO 15, as amended, 8 F.R. 1704, 5698; 9 F.R. 2072, 4321, 4319, 9584; 10 F.R. 103, 126, 10419)

Issued this 31st day of August 1945.

[SEAL] C. W. KITCHEN,  
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 45-16392; Filed, Aug. 31, 1945; 3:27 p. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 201—RULES OF PRACTICE

##### BUSINESS HOURS OF THE COMMISSION AND COMPUTATION OF TIME FOR FILING OF PAPERS AND DOCUMENTS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly section 19 (a) thereof; the Securities Exchange Act of 1934, as amended, particularly Section 23 (a) thereof; the Public Utility Holding Company Act of 1935, par-

ticularly section 20 (a) thereof; the Trust Indenture Act of 1939, particularly section 319 (a) thereof; the Investment Company Act of 1940, particularly section 38 (a) thereof; and the Investment Advisers Act of 1940, particularly section 211 (a) thereof, and finding such action necessary and appropriate to carry out the provisions of such acts, hereby takes the following action:

1. Section 201.1 [Rule I] of the rules of practice of the Commission is amended to read as follows:

§ 201.1 *Business hours.* The principal office of the Commission at Philadelphia, Pennsylvania, is open on each business day, excepting Saturdays, from 9:00 a. m. to 5:30 p. m.

2. Paragraph (e) of § 201.13 [Rule XIII] of the rules of practice of the Commission is amended to read as follows:

§ 201.13 *Filing papers; Docket; Computation of time.* \* \* \*

(e) In computing any period of time prescribed or allowed by these rules or by order of the Commission, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday in the District of Columbia, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. Intermediate Saturdays, Sundays and holidays shall be included in the computation. A half-holiday shall be considered as other days and not as a holiday.

Effective August 28, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16431; Filed, Sept. 1, 1945;  
11:27 a. m.]

#### PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

##### BUSINESS HOURS OF THE COMMISSION AND CALCULATION OF EFFECTIVE DATE OF REGISTRATION STATEMENT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly section 19 (a) thereof, and finding such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby takes the following action:

1. Section 230.110 [Rule 110] is amended to read as follows:

§ 230.110 *Business hours of the Commission.* The principal office of the Commission at Philadelphia, Pa., is open on each business day, except Saturdays, from 9:00 a. m. to 5:30 p. m.

2. Section 230.930 [Rule 930] is amended to read as follows:

§ 230.930 *Calculation of time.* The following rules shall govern the calcula-

tion of the effective date of a registration statement under section 8 (a):

(a) Saturdays, Sundays and holidays shall be counted in computing the effective date.

(b) In the case of statements which become effective pursuant to section 8 (a) on the 20th day after the filing thereof, the 20th day shall be deemed to begin at the expiration of 19 periods, of 24 hours each, from 5:30 eastern standard war time, on the date of filing.

Effective August 28, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16433; Filed, Sept. 1, 1945;  
11:27 a. m.]

#### PART 250—RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

##### PROCEDURE APPLICABLE TO CERTAIN APPLICATIONS AND DECLARATIONS AND SOLICITATIONS IN CONNECTION WITH A REORGANIZATION OR TRANSACTION WHICH IS THE SUBJECT OF AN APPLICATION OR DECLARATION UNDER THE ACT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Public Utility Holding Company Act of 1935, particularly section 20 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and consumers and necessary to carry out the provisions of the act, hereby takes the following action:

1. Paragraph (c) of § 250.23 [Rule U-23] is amended to read as follows:

§ 250.23 *Procedure applicable to certain applications and declarations.* \* \* \*

(c) *Effective date.* A declaration or application will become effective or be granted respectively by order issuing as of course at 5:30 p. m., eastern standard war time on the 30th day after the filing thereof or the 15th day after the filing of the last amendment thereto, whichever is later, or if such day is a Saturday, Sunday or legal holiday, on the next business day, unless prior thereto the Commission shall have ordered a hearing thereon. The Commission may at the request of the applicant or declarant advance, and the applicant or declarant may by written or telegraphic notice to the Commission postpone, such date.

2. Paragraph (d) of § 250.62 [Rule U-62] is amended to read as follows:

§ 250.62 *Solicitations in connection with a reorganization or transaction which is the subject of an application or declaration.* \* \* \*

(d) *Effective date.* A declaration as to a solicitation in connection with a reorganization shall, unless the Commission shall order a hearing thereon, become effective on (1) the 11th day after the filing thereof, or the 4th day (excluding Saturdays, Sundays and holidays) after the filing of the last amendment thereto, whichever is the later; or

(2) such earlier date as the Commission may, upon a showing of unusual circumstances, permit in writing or by a confirmed telegram or otherwise; or (3) such later date as declarant may designate in such declaration, in any amendment thereto, or in written or telegraphic notice to the Commission. Any other declaration shall, unless otherwise ordered by the Commission or unless the Commission shall order a hearing thereon, become effective at the same time as the application or declaration with respect to the proposed transaction; post-amendments to such declarations shall become effective on the 4th day (excluding Saturdays, Sundays and holidays) after the filing thereof unless otherwise therein provided or unless an order for hearing is issued by the Commission.

Effective August 28, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16430; Filed, Sept. 1, 1945;  
11:26 a. m.]

#### PART 260—GENERAL RULES AND REGULATIONS, TRUST INDENTURE ACT OF 1939

##### BUSINESS HOURS OF THE COMMISSION AND CALCULATION OF EFFECTIVE DATE OF APPLICATION FOR QUALIFICATION

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Trust Indenture Act of 1939, particularly section 319 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby takes the following action:

1. Section 260.0-5 [Rule T-0-5] is amended to read as follows:

§ 260.0-5 *Business hours of the Commission.* The principal office of the Commission at Philadelphia, Pennsylvania, is open on each business day, excepting Saturdays, from 9:00 a. m. to 5:30 p. m.

2. Section 260.7a-4 [Rule T-7A-4] is amended to read as follows:

§ 260.7a-4 *Calculation of time.* The following rules shall govern the calculation of the effective date of an application for qualification filed under section 307 (a):

(a) Saturdays, Sundays and holidays shall be counted in computing the effective date.

(b) The twentieth day shall be deemed to begin at the expiration of nineteen periods of twenty-four hours each from 5:30 p. m., eastern standard war time, on the date of filing.

Effective August 28, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16432; Filed, Sept. 1, 1945;  
11:27 a. m.]



## TITLE 18—CONSERVATION OF POWER

## Chapter I—Federal Power Commission

Subchapter A—Rules of Practice and Regulations,  
Federal Power Act

[Order 121]

## PART 1—ADMINISTRATION

ADDRESS OF THE COMMISSION; OFFICE  
HOURS

AUGUST 31, 1945.

The Commission, pursuant to authority vested in it by the Federal Power Act, particularly section 309 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendment to "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (under the Federal Power Act), as heretofore prescribed by Order No. 50, adopted April 19, 1938:

The second paragraph of § 1.1 be and is hereby amended to read as follows:

The office is open from 8:30 a. m. until 5:00 p. m. of each business day except Saturday, or as provided by statute or Executive order.

The amendment to the "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (under the Federal Power Act) adopted, promulgated, and prescribed by this order shall become effective on September 10, 1945; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 45-16441; Filed, Sept. 4, 1945;  
9:48 a. m.]Subchapter B—Provisional Rules of Practice and  
Regulations, Natural Gas Act

[Order 122]

## PART 50—ADMINISTRATION

## ADDRESS OF THE COMMISSION; OFFICE HOURS

AUGUST 31, 1945.

The Commission, pursuant to authority vested in it by the Natural Gas Act, particularly section 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of said Act, hereby adopts, promulgates, and prescribes the following amendment to the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, Effective July 11, 1938":

The second paragraph of § 50.1 be and is hereby amended to read as follows:

The office is open from 8:30 a. m. until 5:00 p. m. of each business day except Saturday, or as provided by statute or Executive order.

The amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act, With Approved Forms, Effective July 11, 1938" adopted, promulgated and prescribed by this or-

der shall become effective on September 10, 1945; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.[F. R. Doc. 45-16442; Filed, Sept. 4, 1945;  
9:48 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

## Chapter II—Railroad Retirement Board

## PART 262—MISCELLANEOUS

## OFFICES OF THE BOARD

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (Sec. 10, 50 Stat. 314; 45 U.S.C. 228j), § 262.15 of the Regulations of the Railroad Retirement Board under such Act (4 F.R. 1477) is amended, effective August 23, 1945, by Board Order 45-312 dated August 23, 1945, to read as follows:

§ 262.15 *Offices of the Board.* The Board hereby establishes as offices of the Board its main office in Chicago, Illinois, all Regional offices, all district offices, all branch offices, and all other offices maintained by the Board as necessary for the proper discharge of its functions under the Railroad Retirement Act.

Dated: August 31, 1945.

By authority of the Board.

[SEAL]

MARY B. LINKINS,  
Secretary of the Board.[F. R. Doc. 45-16440; Filed, Sept. 4, 1945;  
9:48 a. m.]

## TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan  
System

[Bulletin No. 44]

## PART 203—OPERATION

## ADDITIONAL LENDING POWERS

Section 203.21 of the rules and regulations for the Federal Savings and Loan System is hereby amended, effective August 31, 1945, to read as follows:

§ 203.21 *Additional lending powers.* Federal associations operating under Charter K, and having duly adopted the standard section 14.1 amendment thereof may, upon approval of the directors of said association, use the following lending powers: *Provided*, That all loans made pursuant to this section shall comply with the requirements of section 5 (c) of Home Owners' Loan Act of 1933, as now or hereafter amended:

(a) The increase of the present authorized percentage of lending to appraised value of the underlying improved real estate security to the extent of the guarantee by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, and any amendments thereto, and the loan

plans, practices and procedures now or hereafter provided by the Administrator of Veterans' Affairs thereunder.

(b) Loan plans as follows, *Provided, however*, That all loans under this paragraph shall be permitted under this section only when such loans, together with all other loans which are included in the 15% of assets limitation fixed by section 13 of Charter K, are not in excess of 15% of the assets of the particular Federal association:

(1) In an amount not exceeding 60% of the value of real estate which is improved by an income-producing structure thereon, when such loans are repayable in accordance with paragraph (a) of section 14 of Charter K, except that the period of amortization shall not exceed 15 years.

(2) In an amount not exceeding 66⅔% of the value of improved real estate used primarily for residential purposes, when such loans are repayable in accordance with paragraph (a) of section 14 of Charter K, except that the period of amortization shall not exceed 15 years.

(3) In an amount not exceeding 60% of the value of improved real estate used primarily for residential purposes, when such loans are repayable in accordance with paragraph (b) of section 14 of Charter K, except that the maturity period shall not exceed 2 years.

(4) In an amount not exceeding 75% of the value of residential property for more than four families, but for not more than six families, when such loans are repayable in accordance with paragraph (a) of section 14 of Charter K.

(5) In an amount not exceeding 60% of the value of home or combination home and business property, when such loans are repayable in accordance with paragraph (b) of section 14 of Charter K, except that the maturity period shall not exceed 3 years.

(Sec. 5 (a), (c) of H.O.L.A. of 1933, 48 Stat. 132, 133; 12 U.S.C. 1464 (a); E.O. 9070, 7 F.R. 1520)

This amendment is deemed to be of a procedural character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

JAMES TWOHY,

Governor.

HAROLD LEE,

General Counsel.

ORMOND E. LOOMIS,

Executive Assistant  
to the Commissioner.[F. R. Doc. 45-16391; Filed, Aug. 31, 1945;  
3:27 p. m.]Chapter IV—Home Owners' Loan  
Corporation

[Bulletin No. 378]

## PART 406—LEGAL DEPARTMENT

AUTHORITY TO PURCHASE, SELL, EXCHANGE,  
AND MAINTAIN LAW BOOKS

Effective August 31, 1945, the third sentence of § 406.10 is hereby amended to read as follows: "The General Counsel is also authorized to sell or exchange

any of the above items, for such consideration, in such manner, and on such terms as he may determine, and he may incur any necessary expense incident thereto; and he may issue such instructions and procedure as may be necessary or appropriate to give effect to the provisions of this section."

(Secs. 4 (a) and 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R. 1529)

Dated: August 31, 1945.

[SEAL] J. FRANCIS MOORE,  
Secretary.

[F. R. Doc. 45-16420; Filed, Aug. 31, 1945;  
4:27 p. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

#### PART 602—GENERAL ORDERS AND DIRECTIVES

- DIRECTION TO ALL PERSONS WHO SUPPLY SOLID FUELS TO FEDERAL AGENCIES (EXCEPT WAR DEPARTMENT, NAVY DEPARTMENT, MARITIME COMMISSION AND VETERANS' ADMINISTRATION)

Pursuant to Executive Order No. 9332 and SFAW Regulation No. 1, as amended, the following notice of direction is issued to all persons who supply solid fuels (anthracite, semi-anthracite, bituminous, subbituminous and lignitic coals and coke, and packaged and processed fuels such as briquettes) to any agency of the Federal Government, except those agencies affected by the Notice of Direction issued July 9, 1945—the War Department, Navy Department (including Marine Corps and Coast Guard), the Maritime Commission and Veterans' Administration.

1. You are hereby directed to ship such solid fuels as may be required from the effective date of this notice of direction to July 1, 1946 under any contract which has been or may hereafter be entered into between you and any agency of the Federal Government (except the agencies specified in the notice issued July 9, 1945), subject to such modifications or cutbacks as SFAW may hereafter require.

2. Unless a direction hereafter issued by SFAW requiring shipment of solid fuels to any person specifically states that you are permitted or required to divert such solid fuels from any agency of the Federal Government described in paragraph 1, above, you shall not divert such solid fuels from a shipment to any establishment or premises of such an agency pursuant to a contract you may have with the agency if:

(a) Such agency has reported to you on or before the 10th day of the calendar month in which the SFAW direction is issued the days' supply of solid fuels on hand on the first day of such month at the establishment or premises of the agency; and

(b) The days' supply of solid fuels at such establishment or premises is less than 30 days' supply based upon estimated average burn for January and February 1946.

3. This direction does not alter or modify any of the requirements of SFAW regulations applicable to purchases by any agency of the United States described in paragraph 1, above, and does not affect the obligations of any

shipper under the preference provisions of SFAW Regulation No. 27.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 30th day of August 1945.

C. J. POTTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 45-16445; Filed, Sept. 4, 1945;  
10:44 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Amdt. 335]

#### PART 605—GENERAL ADMINISTRATION: ADMINISTRATION OF OATHS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a) of § 605.1 to read as follows:

§ 605.1 *Administration of oaths generally.* (a) Unless a specified person is designated to administer an oath required under the provisions of these regulations, any civil officer authorized to administer oaths generally, any commissioned officer of the land or naval forces assigned for duty with the Selective Service System, any member or clerk of a local board or board of appeal, any employee of a local board group chosen to coordinate the efforts of the clerical staff of the local board group or any other employee of a local board group authorized in writing by a local board of a local board group, any government appeal agent or associate government appeal agent, any member or associate member of an advisory board for registrants, any postmaster, acting postmaster, or assistant postmaster may administer such oath.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 30, 1945.

[F. R. Doc. 45-16393; Filed, Aug. 31, 1945;  
3:30 p. m.]

[Amdt. 336]

#### PART 605—GENERAL ADMINISTRATION: FORMS FOR REGISTRATION OUTSIDE U. S.

Pursuant to authority contained in the Selective Training and Service Act of

1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by adding a new section to be known as § 605.51-1 to read as follows:

§ 605.51-1 *Forms for registrants outside the United States.* Wherever in these regulations there is a reference to the Registration Card (Form 1), Registration Certificate (Form 2), Selective Service Questionnaire (Form 40), Order to Report for Induction (Form 150), and Order to Report for Preinduction Physical Examination (Form 215), such reference shall be deemed to include, where applicable, the corresponding forms used with reference to registrants outside the United States; namely, Registration Card (Form 1-F), Registration Certificate (Form 2-F), Additional Instructions to Registrants Outside the United States (Form 40-F), Order to Report for Induction—Special (Form 150-F), and Order to Report for Preinduction Physical Examination—Special (Form 215-F).

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 27, 1945.

[F. R. Doc. 45-16394; Filed, Aug. 31, 1945;  
3:30 p. m.]

[Amdt. 337]

#### PART 622—CLASSIFICATION

##### MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 622.15 to read as follows:

§ 622.15 *Class I-C: Member of land or naval forces or registrant honorably separated therefrom.* (a) In Class I-C shall be placed or retained:

(1) Every registrant who is, or who by induction, enlistment, or appointment becomes, a commissioned officer, warrant officer, field clerk, pay clerk, or enlisted man of the Regular Army, the Navy, the Marine Corps, the Coast Guard, the Public Health Service (Regular Corps and Reserve Corps), the federally recognized active National Guard, the Officers' Reserve Corps, the Army of the United States, the Regular Army Reserve, the Enlisted Reserve Corps, the Naval Reserve, the Marine Corps Reserve, the Coast Guard Reserve (other than temporary), or any other branch or component of the land or naval forces; or

(2) Every registrant who is a cadet of the United States Military Academy, a midshipman of the United States Naval Academy, or a cadet of the United States Coast Guard Academy; or

(3) Every registrant who has been separated from the land or naval forces of the United States by death at any time (each such registrant shall be identified with the abbreviation "Dec." in the manner provided in § 622.86); or

(4) Every registrant who has been separated from the land or naval forces of the United States on or after September 16, 1940, by Honorable Discharge or Discharge Under Honorable Conditions, or by an equivalent type of release from service if the registrant was an officer or a warrant officer. (Every such registrant shall be identified with the abbreviation "Disc." in the manner provided in § 622.86-1.) A registrant placed in Class I-C under the provisions of this subparagraph who has "completed his service" in the land or naval forces of the United States shall be retained in Class I-C unless (i) his reclassification is specifically authorized by the Director of Selective Service, or (ii) he volunteers for induction in the land or naval forces of the United States. A registrant shall be deemed to have "completed his service" in the land or naval forces of the United States if (1) he has been separated from service by reason of demobilization, or (ii) it is found that the registrant should be relieved from any future consideration for classification into a class available for service because the registrant has already made a sufficient contribution to the war effort as a member of the land or naval forces of the United States. The Cover Sheet (Form 53) of registrants who have been found to have "completed their service" shall be filed separately from those of other registrants. Except for a registrant who has been found to have "completed his service" as provided above, any registrant placed in Class I-C under the provisions of this subparagraph may be reclassified out of Class I-C at any time.

2. Amend the title and add a new paragraph (c) to § 622.17 to read as follows:

§ 622.17 *Class I-G: Registrants who are members of or are honorably separated from land or naval forces of belligerent nations; or registrants separated from American Field Service* \* \* \*

(c) In Class I-G may be placed any registrant who, on or after September 16, 1940, has been separated from active duty with the American Field Service by a release indicating completion of satisfactory service, provided it is found that such a registrant should be relieved from any future consideration for classification into a class available for service because the registrant has already made a sufficient contribution to the war effort through his activity in the American Field Service.

3. Amend § 622.21 to read as follows:

§ 622.21 *Class II-A: Man supporting the national health, safety, or interest.* In Class II-A shall be placed any registrant:

(a) Who is found to be "necessary to and regularly engaged in" an activity in support of the national health, safety, or interest and who meets all other standards for deferment which have been established by the Director of Selective Service; or

(b) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an activity in support of the national health, safety, or interest.

4. Amend § 622.22 to read as follows:

§ 622.22 *Class II-B discontinued.* (a) Class II-B is discontinued as of August 31, 1945.

(b) Any registrant who is in Class II-B on August 31, 1945, is hereby transferred into and shall be deemed to be in Class II-A as of that date.

5. Amend § 622.22-1 to read as follows:

§ 622.22-1 *Certain procedure must be followed to entitle Federal Government employees to Class II-A deferment.* No registrant employed in or under the Federal Government shall be retained or placed in Class II-A unless a request for his deferment shall have been made in accordance with the provisions of (a) Public Law 23, 78th Congress, approved April 8, 1943, and (b) Executive Order No. 9309, dated March 6, 1943.

6. Amend § 622.22-2 to read as follows:

§ 622.22-2 *Length of deferments in Class II-A.* (a) Class II-A deferments, except for registrants identified with the letter "(F)" or the letter "(L)" shall be for a period of six months or less. Class II-A deferments for registrants identified with the letter "(F)" or the letter "(L)" shall be for an indefinite period: *Provided*, That the local board shall review such deferments at the end of each six-month period to determine whether the continuance of the deferment is warranted. If the local board determines to continue such indefinite deferment, the registrant's classification need not be reopened, but following each such review, the local board will note its determination to continue the deferment on the appropriate records and will mail a new Notice of Classification (Form 57) and a new Classification Advice (Form 59) inserting thereon the word "indefinite." If there is a change in the registrant's status during the period of deferment, in Class II-A, his classification shall be reopened and considered anew.

(b) At the expiration of the period of a registrant's deferment in Class II-A, his classification shall be reopened and he shall be classified anew. The registrant should be continued in Class II-A for a further period of six months or less if such classification is warranted. The same rules shall apply when classifying a registrant at the end of each successive period for which he has been classified in Class II-A.

(c) When a registrant in Class II-A voluntarily leaves the employment for which he was deferred, he shall be reclassified into Class I-A, Class I-A-O, or Class IV-E, unless before leaving such employment he requests a determination and a determination is made (1) that it is in support of the national health, safety, or interest for him to leave such employment for other work, or (2) that there are adequate reasons involving the registrant or his immediate family which justify the registrant in leaving such employment.

(d) If the registrant leaves the employment for which he was deferred without first requesting the local board to make the determination provided for in paragraph (c) of this section, the local board may nevertheless determine (1) that it was in support of the national health, safety, or interest for the registrant to have left such employment for other work, or (2) that there were adequate reasons involving the registrant or his immediate family which justified the registrant in leaving such employment; provided that the local board finds that the registrant's failure to request such determination was due to unusual or compelling circumstances, in which case the registrant shall not be placed in Class I-A, Class I-A-O, or Class IV-E under this section.

(e) Any registrant in Class II-A may file with his local board a written request for a determination under paragraph (c) or (d) of this section. When the registrant's local board has made a determination upon such request, it shall advise him thereof in writing.

(f) The provisions of paragraphs (c), (d), and (e) of this section shall not apply to any registrant (1) who has been separated from the land or naval forces on or after September 16, 1940, under conditions other than dishonorable, or (2) who qualifies for classification in Class IV-B under the provisions of § 622.42, or (3) who qualifies for classification in Class IV-D under the provisions of § 622.44.

(g) Nothing in this section shall be construed to require the local board to retain in Class II-A any registrant when the reason for his occupational classification has ceased to exist.

7. Amend the title to § 622.23 to read as follows:

§ 622.23 *General rules for classification in Class II-A.*

8. Amend § 622.25-1 to read as follows:

§ 622.25-1 *Class II-C: Man in agriculture.* In Class II-C shall be placed any registrant:

(a) Who is found to be "necessary to and regularly engaged in" an agricultural occupation or endeavor essential to the war effort and for whom a satisfactory replacement cannot be obtained; or

(b) Who is found to be disqualified for any military service or to be qualified for limited military service only and to be "regularly engaged in" an agricultural occupation or endeavor essential to the war effort.

9. Amend paragraphs (a) and (b) of § 622.25-2 to read as follows:

§ 622.25-2 *Length of deferments in Class II-C.* (a) Class II-C deferments, except for registrants identified with the letter "(F)" or the letter "(L)", shall be for a period of six months or less. Class II-C deferments for registrants identified with the letter "(F)" or the letter "(L)" shall be for an indefinite period, provided that the local board shall review such deferments at the end of each six-month period to determine whether the continuance of the deferment is warranted. If the local board deter-



mines to continue such indefinite deferment, the registrant's classification need not be reopened, but following each such review, the local board will note its determination to continue the deferment on the appropriate records and will mail a new Notice of Classification (Form 57) and a new Classification Advice (Form 59) inserting thereon the word "Indefinite." If there is a change in the registrant's status during the period of deferment in Class II-C, his classification shall be reopened and considered anew.

(b) At the expiration of the period of a registrant's deferment in Class II-C, his classification shall be reopened. The registrant should be continued in Class II-C for a further period of six months or less if such classification is warranted. A registrant (other than a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only) shall not be continued in Class II-C unless the local board is satisfied that a satisfactory replacement cannot be obtained. The same rule shall apply when again classifying a registrant at the end of each successive period for which he has been classified in Class II-C.

#### 10. Amend § 622.14 to read as follows:

§ 622.41 *Class IV-A: Man deferred by reason or age.* In Class IV-A shall be placed or retained every registrant who has attained the twenty-sixth anniversary of the day of his birth, other than (a) a registrant who has volunteered for induction into the land or naval forces of the United States and who is eligible for classification into a class available for service under the provisions of § 624.4; or (b) a registrant who is eligible for classification in Class I-C, Class I-G, Class IV-D, or Class IV-B; or (3) a registrant who, after being classified in Class IV-E, either has been assigned to and has reported for work of national importance under civilian direction, or has been separated from work of national importance under civilian direction and retained in Class IV-E as required by § 622.51.

#### 11. Amend § 622.42 to read as follows:

§ 622.42 *Class IV-B: Official deferred by law and men relieved from liability for training and service.* In Class IV-B shall be placed any registrant who is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, a judge of a court of record of the United States or of a State; or who is a commissioned officer in the Coast and Geodetic Survey; or who is a cadet of the advanced course, senior division, of the Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps; or who has been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as a cadet or to the United States Naval Academy as a midshipman or to the United States Coast Guard Academy as a cadet, but only

during the continuance of such acceptance; or who has not entered the armed forces of the United States or of a cobelligerent government and who by reason of the belligerent status of the United States or of a cobelligerent country is in the custody of or remains interned by the enemy or by the government of another country.

#### 12. Amend § 622.83 to read as follows:

§ 622.83 *Identifying certain registrants in Class II-A and Class II-C.* When a registrant who has been found to be disqualified for any military service or to be qualified for limited military service only is classified in Class II-A or Class II-C, he shall be identified in all records by following his classification with the letter "(F)" if he has been found disqualified for any military service or with the letter "(L)" if he has been found to be qualified for limited military service only.

#### 13. Amend § 622.87 to read as follows:

§ 622.87 *Classes discontinued.* (a) The following classes have been discontinued effective on the date shown opposite each class:

Class I-B	August 18, 1942.
Class I-B-O	August 18, 1942.
Class I-D	August 31, 1941.
Class I-D-O	August 31, 1941.
Class I-E	August 31, 1941.
Class I-E-O	August 31, 1941.
Class I-H	November 10, 1942.
Class II-B	August 31, 1945.
Class III-A	December 11, 1943.
Class III-B	April 12, 1943.
Class III-C	February 17, 1944.
Class IV-E-H	December 24, 1941.
Class IV-E-LS	August 18, 1942.
Class IV-E-S	August 31, 1941.
Class IV-H	March 6, 1943.

(b) The classification of all registrants who are in classes which have been or are hereafter discontinued shall be immediately reopened, and such registrants shall be classified anew, except as otherwise provided in § 622.22 for registrants in Class II-B as of August 31, 1945.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HENSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16395; Filed, Aug. 31, 1945;  
3:30 p. m.]

[Amdt. 338]

#### PART 623—CLASSIFICATION PROCEDURE MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 623.21 to read as follows:

§ 623.21 *Consideration of classes.* (a) Upon undertaking to classify any registrant, consideration shall be given to the following classes in the order listed and the registrant shall be classified in the first class for which grounds are established:

Class I-C.	Class II-C.
Class I-G.	Class II-A.
Class IV-D.	Class III-D.
Class IV-B.	Class IV-C.
Class IV-A.	Class IV-F (moral).

2. Amend paragraph (a) of § 623.54 to read as follows:

§ 623.54 *Man relieved from active duty with land or naval forces of cobelligerent nation or with American Field Service.* (a) Immediately upon receipt by the local board of information that a registrant has been relieved from active duty as a member of the land or naval forces of a cobelligerent nation or has been separated from active duty with the American Field Service, the local board shall review the registrant's classification to determine whether he should be placed or retained in Class I-G.

3. Amend paragraphs (a) and (b) of § 623.61 to read as follows:

§ 623.61 *Classification and reclassification.* (a) As soon as practicable after the local board has classified or reclassified a registrant, it shall mail a notice thereof on a Notice of Classification (Form 57) to the registrant. When a registrant is classified in Class II-A or Class II-C until a specific date, the date of the termination of the deferment will be entered on the Notice of Classification (Form 57); and when a registrant is classified in one of such classes for an indefinite period, the word "Indefinite" will be entered on the Notice of Classification (Form 57).

(b) As soon as practicable after the local board has classified or reclassified a registrant, it shall mail a notice thereof on a Classification Advice (Form 59) to every person who has on file an official form of the Selective Service System or other document requesting the current deferment of the registrant. When a registrant is classified in Class II-A or Class II-C until a specific date, the date of the termination of the deferment will be entered on the Classification Advice (Form 59); and when a registrant is classified in one of such classes for an indefinite period, the word "Indefinite" will be entered on the Classification Advice (Form 59).

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing with the Division of the Federal Register.

LEWIS B. HENSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16396; Filed, Aug. 31, 1945;  
3:30 p. m.]

[Amdt. 339]

## PART 624—VOLUNTEERS

## CLASSIFICATION OF VOLUNTEERS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 624.4 to read as follows:

§ 624.4 *Classification of volunteers.* When a man files an Application for Voluntary Induction (Form 165) under the provisions of § 624.1, he shall be classified as soon as possible and placed in a class immediately available for military service unless:

(a) He is "necessary to and regularly engaged in" and is indispensable and irreplaceable in an activity in support of the national health, safety, or interest;

(b) He is "necessary to and regularly engaged in" an agricultural occupation or endeavor essential to the war effort for whom a satisfactory replacement cannot be obtained;

(c) His induction would result in undue hardship to his dependents;

(d) He is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, or a judge of a court of record of the United States or of a State, required to be deferred by law; or

(e) He is found to be disqualified for any military service or to be qualified for limited military service only, or for any reason other than physical or mental condition, he is found to be unacceptable for service in the land or naval forces of the United States.

The foregoing amendment to the Selective Service Regulations shall be effective with the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16397; Filed, Aug. 31, 1945;  
3:31 p. m.]

[Amdt. 340]

## PART 627—APPEAL TO BOARD OF APPEAL

## MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 627.3 to read as follows:

§ 627.3 *Board of appeal review of certain Class II-A classifications.* The classification by a local board made subsequent to December 10, 1943, of a registrant into Class II-A whose principal place of employment is located outside the appeal board area in which the local

board having jurisdiction over the registrant is located and in an area where boards of appeal are organized shall, within 10 days after the date on which such classification is made, be submitted for review and decision to the board of appeal having jurisdiction over the area in which is located the principal place of employment of the registrant.

2. Amend paragraph (a) of § 627.13 to read as follows:

§ 627.13 *Local board to prepare and forward file and DSS Form 66.* (a) The local board shall determine the principal place of employment, if any, of the registrant and the address thereof immediately upon (1) an appeal being taken to the board of appeal by a person entitled to appeal, or (2) the classification of the registrant in Class II-A whose principal place of employment is located outside the appeal board area in which the local board having jurisdiction over the registrant is located and in an area where boards of appeal are organized. The local board shall record the principal place of employment, if any, of the registrant and the address thereof on and otherwise complete the Individual Appeal Record (Form 66). The determination of the local board of the principal place of employment of the registrant and the address thereof as recorded on the Individual Appeal Record (Form 66) shall be final except as provided in subparagraphs (1), (2), and (3) below.

(1) Prior to the decision of the case by the board of appeal, the local board may, on its own motion, and shall, upon request of the Director of Selective Service or the State Director of Selective Service of the State in which it is located, reconsider such determination. Upon such reconsideration, the local board shall determine the principal place of employment, if any, of the registrant and the address thereof and shall record such determination on the Individual Appeal Record (Form 66). Such determination, unless again reconsidered or an appeal is taken therefrom as provided in subparagraph (2) below, shall be final.

(2) Either the Director of Selective Service or the State Director of Selective Service, as to local boards in his State, may appeal from a determination of the local board of the principal place of employment of the registrant and the address thereof. Upon such an appeal being taken, the board of appeal whose area includes the address of the principal place of employment of the registrant as shown on the Individual Appeal Record (Form 66) shall have jurisdiction to determine the principal place of employment of the registrant and the address thereof, and such determination, unless an appeal is taken therefrom to the President as provided in subparagraph (3) below, shall be final.

(3) Either the Director of Selective Service or the State Director of Selective Service in whose State is located the local board from whose determination an appeal was taken under subparagraph (2) above or the State Director of Selective Service in whose State is located the board of appeal which made

a determination of the registrant's principal place of employment and the address thereof, may appeal to the President from such determination of the board of appeal. Upon such an appeal being taken, the President shall determine the principal place of employment of the registrant and the address thereof, and such determination shall be final.

3. Amend paragraph (b) of § 627.14 to read as follows:

§ 627.14 *Time when record to be forwarded on appeal.* \* \* \*

(b) The registrant's file shall be forwarded to the board of appeal or the State Director of Selective Service, as the case may be, immediately after the local board has complied with the provisions of § 627.13 when (1) an appeal is taken from the classification of a registrant in a class other than Class I-A, Class I-A-O, or Class IV-E, or (2) the classification of a registrant in Class II-A is submitted for review and decision to a board of appeal under § 627.3.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16398; Filed, Aug. 31, 1945;  
3:31 p. m.]

[Amdt. 341]

## PART 632—INDUCTION CALLS

## MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 632.4 to read as follows:

§ 632.4 *Manner of selecting registrants to fill an induction call for men qualified for general military service.*

(a) In filling an induction call for specified men who have been found qualified for general military service, the local board, so far as possible, shall, in the sequence provided in paragraph (b) of this section, select and order to report for induction specified men ages 18 through 25 and specified men ages 26 through 37 who have volunteered for induction. The specified men so selected and ordered to report for induction shall be men to whom the local board has mailed a Certificate of Fitness (Form 218) at least 21 days before the date fixed for induction who are available for induction and have been found qualified for general military service and who are not deferred, exempted, or relieved from liability or postponed from induction under the selective service law: *Provided*,

That a registrant classified in Class I-A or Class I-A-O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found qualified for general military service and has not been mailed a Certificate of Fitness (Form 218).

2. Amend § 632.4-2 to read as follows:

§ 632.4-2 *Registrants outside of the United States when ordered to report for induction.* Men ages 18 through 25 and men ages 26 through 37 who have volunteered for induction (a) may enlist or be inducted outside of the United States under special procedures prescribed by the Director of Selective Service, or (b) if outside of the United States at the time they are ordered to report for induction, may, upon their return to the United States, be inducted under special procedures prescribed by the Director of Selective Service.

3. Amend § 632.6 to read as follows:

§ 632.6 *Certain registrants inducted without calls.* (a) Any man age 18 through 25 and any man age 26 through 37 who has volunteered for induction, who signs a Request for Immediate Induction (Form 219) and is in a class available for service, provided an appeal is not pending in his case and the period during which an appeal may be taken has expired, may be forwarded for induction at the time the local board is forwarding men for preinduction physical examination or for induction or at any other time when special arrangements have been made with the induction station without any calls being made for the delivery of such men.

(b) When any registrant referred to in paragraph (a) of this section is inducted or when any registrant referred to in § 632.4-2 is enlisted or inducted, his local board will be advised that he was inducted or enlisted either in the Army or in the Navy (including the Marine Corps and the Coast Guard). Such registrant will then be counted toward the filling of the next induction call.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16399; Filed, Aug. 31, 1945; 3:31 p. m.]

[Amdt. 342]

PART 642—DELINQUENCY

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Reg-

ulations, Second Edition, are hereby amended in the following respect:

1. Amend § 642.12 to read as follows:

§ 642.12 *Classification of registrant delinquent.* Any delinquent registrant age 18 through 25 and any delinquent registrant age 26 through 37 who volunteers for induction may be classified in or reclassified into Class I-A, Class I-A-O, or Class IV-E, whichever is applicable, regardless of other circumstances: *Provided*, That a delinquent registrant in Class I-C who has "completed his service" in the land or naval forces of the United States and a delinquent registrant in Class IV-E who has been separated from work of national importance under civilian direction may not be classified in or reclassified into Class I-A, Class I-A-O, or Class IV-E under this section, unless his classification out of Class I-C or Class IV-E is specifically authorized by the Director of Selective Service.

2. Amend § 642.13 to read as follows:

§ 642.13 *Certain delinquents to be ordered to report for induction or for work of national importance.* (a) The local board shall order each delinquent registrant age 18 through 25 and each delinquent registrant age 26 through 37 who volunteers for induction to report for induction in the manner provided in § 632.4 or in § 632.4-1, as the case may be, who is classified in or reclassified into Class I-A or Class I-A-O unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction. If such delinquent registrant executes an Application for Voluntary Induction (Form 165) and a Request for Immediate Induction (Form 219), he shall be inducted immediately.

(b) The local board shall, in the manner provided in § 652.1, forward to the State Director of Selective Service a Conscientious Objector Report (Form 48) for each delinquent registrant age 18 through 25 and for each delinquent registrant age 26 through 37 who volunteers for work of national importance under civilian direction who is classified in or reclassified into Class IV-E unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to forward a Conscientious Objector Report (Form 48) for such registrant to the State Director. The Conscientious Objector Report (Form 48) shall include the statement that such registrant is a delinquent. As soon as the local board receives an Assignment to Work of National Importance (Form 49) for such delinquent registrant, it shall issue to him an Order to Report for Work of National Importance (Form 50).

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th

day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

AUGUST 31, 1945.

[F. R. Doc. 45-16400; Filed, Aug. 31, 1945; 3:31 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 24]

PART 802—GENERAL LICENSES

RE-EXPORTATION FROM COUNTRY OF DESTINATION

Section 802.4 *Re-exportation from country of destination* is hereby amended to read as follows:

§ 802.4 *Re-exportation from country of destination.* No exportation may be made under any type of general license with the knowledge or intention that the commodities so exported are to be re-exported from the country of destination, unless the re-exportation has been authorized by the Foreign Economic Administration, except that all commodities, the exportation of which is permitted under general license to any destination in Group K, may be re-exported from Canada or from any destination in Group K to any other destination in Group K provided that such re-exportation is not made to, or for the account of, any individual, or the agent, representative, or member of the immediate family of any individual, who is on the American Proclaimed List.

This amendment shall be effective as of July 26, 1945.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 636, 77th Cong.; Pub. Law 397, 78th Cong.; Pub. Law 99, 79th Cong.; E.O. 8300, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9932; E.O. 9380, 8 F.R. 13031; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: August 22, 1945.

WALTER FREEDMAN,  
Director,  
Requirements and Supply Branch,  
Bureau of Supplies.

[F. R. Doc. 45-16423; Filed, Sept. 4, 1945; 9:43 a. m.]

Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 63 Stat. 827; E.O. 8024, 7 F.R. 329, E.O. 8040, 7 F.R. 527; E.O. 8125, 7 F.R. 2719; E.O. 8539, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 63.

PART 1010—SUSPENSION ORDERS

[Suspension Orders, Revocation, List 2]

In view of the revocation of certain limitation and conservation orders con-

trolling the supply and distribution of materials, the Chief Compliance Commissioner has directed that the suspension orders hereinafter listed be revoked forthwith.

In view of the foregoing, *It is hereby ordered*, That the foregoing suspension orders be revoked, effective August 31, 1945, *Provided, however*, That this revocation does not affect any liabilities incurred for violations of the suspension order prior to revocation:

§ 1010.723 S-723—(Corrected) Amling's of California, Inc.  
 § 1010.833 S-833—Gartner Printing and Lithographing Co.  
 § 1010.819 S-819—Seaboard Envelope Co.  
 § 1010.837 S-837—Smith Envelopes, Inc.  
 § 1010.701 S-701—Standard Trunk & Suitcase Co.  
 § 1010.758 S-758—True-Tagg Paint Co.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 45-16419; Filed, Aug. 31, 1945;  
 4:17 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-689, Revocation]

J. S. PUBLISHING CORP.

Suspension Order No. S-689, issued January 12, 1945, against J. S. Publishing Corporation, 45 Rose Street, New York, N. Y., for violation of Limitation Order L-289. In view of the fact that Limitation Order L-289 was revoked on August 24, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-689 be revoked forthwith.

In view of the foregoing: it is hereby ordered, that: § 1010.689, *Suspension Order No. S-689* be revoked, effective August 31, 1945.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 45-16385; Filed, Aug. 31, 1945;  
 11:31 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-804, Revocation]

GULF STATES PLYWOOD CO.

Suspension Order No. S-804, effective June 14, 1945, was issued June 7, 1945, against Gulf States Plywood Company, a partnership composed of Ralph C. Clark, Thomas B. Skiff and Carey A. Watkins, located at 2400 Walnut Street, Jacksonville, Florida, for violation of Limitation Order L-150-a. In view of the fact that Limitation Order L-150-a was revoked on August 22, 1945, the Chief Compliance Commissioner has directed that Suspension Order No. S-804 be revoked forthwith.

In view of the foregoing: it is hereby ordered, that: § 1010.804, *Suspension Order No. S-804* be revoked, effective August 31, 1945.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 45-16386; Filed, Aug. 31, 1945;  
 11:31 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-828, Reinstatement and Amendment]

KIMEL SHOE CO.

Kimel Shoe Company, a partnership composed of Morris E. Kimel, Harry Moss, and Stanley Kimel, engaged in the business of manufacturing shoes in Los Angeles, California, was suspended on June 20, 1945 by Suspension Order No. S-828. It appealed from the provisions of the suspension order and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on June 29, 1945. The appeal has been considered by Deputy Chief Compliance Commissioner Bok who has dismissed the appeal and directed that the stay be terminated and the suspension order reinstated.

In view of the foregoing: it is hereby ordered, that: § 1010.828, *Suspension Order No. S-828*, issued June 20, 1945, be and hereby is reinstated effective September 4, 1945; the stay of execution directed by the Chief Compliance Commissioner on June 29, 1945 be and hereby is revoked effective September 3, 1945; and that the suspension order be amended by substituting for the present paragraph (a) the following paragraph (a):

(a) Morris E. Kimel, Harry Moss, and Stanley Kimel, whether doing business as Kimel Shoe Company or otherwise, their successors or assigns, unless otherwise specifically authorized in writing by the War Production Board, shall reduce their production of women's and growing girls' shoes in the \$4.25 to \$4.60 price line, 3,320 pairs below their allowable quota in each of the six months' periods beginning September 1, 1945, and March 1, 1946.

Issued this 24th day of August 1945.

WAR PRODUCTION BOARD,  
 By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 45-16451; Filed, Sept. 4, 1945;  
 11:08 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1377—WOODEN CONTAINERS

[RMFR 434, Amdt. 3]

##### USED FRUIT AND VEGETABLE CONTAINERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 8a is added to the regulation with appropriate addition to the table of contents to read as follows:

SEC. 8a. *Mark-up for Grower's Service Organization.* For the purposes of this regulation a "Grower's Service Organization" is one which is engaged primarily in the business of marketing fruits and vegetables for the account of growers,

and which maintains packing, receiving and shipping facilities, and enclosed or covered warehousing facilities for fresh fruit and vegetable containers.

Grower's Service Organizations may apply to the Building Materials Branch, Office of Price Administration, Washington 25, D. C., for permission to add to the net invoice cost a mark-up for performing the functions common to those of a grower's service organization as defined above. The application should show the following information:

1. Name and address.
2. A description of the operations performed by the organization in connection with the sale of the containers.
3. The dimensions of the enclosed or covered warehouse.
4. The requested mark-up or price per container.
5. The average percentage mark-up used during 1941 for the sale of new agricultural containers as reported under RMFR 320.

The Office of Price Administration may approve, disapprove or revise mark-ups proposed or established under this section so as to make them consistent with the mark-ups established for other similar organizations in the area and the mark-ups established under Maximum Price Regulation 320.

This Amendment No. 3 shall become effective September 10, 1945.

NOTE: All reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 45-16475; Filed, Sept. 4, 1945;  
 11:50 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16, Amdt. 61 to 2d Rev. Supp. 1]

##### MEAT, FATS, FISH AND CHEESE

The Official Table of Trade Point Values (OPA Form R-1313) No. 29 referred to in § 1407.3027 (a) is amended to provide a point value of 5.5 points per pound for Grade D beef ham sets (cured), beef, insides (cured), beef, outsides (cured) and beef, knuckles (cured), and a point value of 2.7 points per pound for semi-dry sausage.

The Official Table of Consumer Point Values (OPA Form R-1313) No. 29 referred to in § 1407.3027 (a) is amended to provide a point value of 3 points per pound for semi-dry sausage.

The Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 29 referred to in § 1407.3027 (a) is amended to provide a point value of 3 points per pound for semi-dry sausage.

This amendment shall become effective September 2, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 45-16409; Filed, Aug. 31, 1945;  
 4:12 p. m.]



## PART 1305—ADMINISTRATION

[Supp. Order 129]

## EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

**AUTHORITY:** § 1305.157 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; Directive 68 of the Director of Economic Stabilization.

## ARTICLE I—EXEMPTIONS

**SECTION 1. Articles exempted from price control.** Notwithstanding the provisions of any price regulation or order heretofore issued by the Office of Price Administration, or any price regulation or order hereafter issued by the Office of Price Administration, except an amendment of this order, all purchases, sales and deliveries, unless otherwise stated below, of any of the machines, parts, industrial materials and services listed in the sections appearing under this Article are exempt from price control.

**Sec. 2. Building materials—(a) Construction materials and refractories as follows.**

Architectural terra cotta.

**(b) Mechanical building equipment as follows.**

Cast iron cornices.  
Continuous stove wood pipe.  
Machine-banded wood pressure pipe.  
Ornamental iron brackets.  
Solid bored wood pressure pipe, machine-banded or wire-bound.  
Wire-bound wood pressure pipe.  
Wood-lined pressure pipe.  
Wrought iron balustrades.  
Wrought iron fences.

**Sec. 3. Lumber and primary forest products—(a) Miscellaneous primary forest products as follows.**

Florist foliage.

**Sec. 4. Machines and parts and machinery services—(a) Electrical equipment as follows.**

Batteries, wet-cell electric storage, when sold by a manufacturer to a brand owner, pursuant to a cost-plus-a-fixed-fee or a cost-plus-a-percentage-of-cost contract.  
Bi-metallic strips.  
Lighting fixtures, especially designed and built for individual installation, excluding modifications of standard items.  
X-ray equipment and supplies, exclusive of X-ray tubes.

**(b) Miscellaneous equipment as follows.**

Gas meters, tin-cased.  
Voting machines, and parts.

**(c) Processing machinery and parts as follows.**

Broom sewing machines and parts.

**(d) Transportation equipment and services as follows.**

Repair to ships and boats when undertaken for a war procurement agency.

**Sec. 7. Paper and paper products—(a) Miscellaneous paper products as follows.**

Stamped envelopes sold to and by the Post Office Department of the United States Government.

**Sec. 8. Rubber, chemicals and drugs—(a) (1) Chemicals and drugs when sold for the purposes of scientific and medical research, for analytical and educational uses or for quality control of industrial products as follows.**

Laboratory reagent specialty solutions.  
Prepared culture media.  
Reagent chemicals.

**(2) Chemicals and drugs as follows.**

Guinea pig complement.  
Crude botanical drugs imported from Canada.

**(b) Miscellaneous commodities made in whole or in part of rubber, synthetic or substitute rubber as follows:**

Bust forms and fillers (other than surgical bust forms and fillers).

## ARTICLE II—SUSPENSIONS

**Sec. 9. Notwithstanding the provisions of any price regulation or order heretofore issued by the Office of Price Administration, or any price regulation or order hereafter issued by the Office of Price Administration, except an amendment of this order, price control is suspended as to all purchases, sales and deliveries, unless otherwise stated below, of any of the machines, parts, industrial materials and services listed in the sections appearing under this Article. These suspensions are for an indefinite period of time except when it is otherwise specifically provided by the Administrator.**

**Sec. 10. Building materials—(a) Construction materials and refractories as follows:**

Architectural dimension stone, monuments and memorials.

**Sec. 11. Lumber and primary forest products.**

**Sec. 12. Machines and parts and machinery services—(a) Electrical equipment as follows:**

Search lights, military, completely assembled.

**(b) Machine tools and parts as follows:**

Spring-winding and wire-forming machinery.

**(c) Miscellaneous equipment as follows:**

Clockwork systems, industrial.  
Engines, Army tank.  
Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces and industrial furnaces and ovens used solely for the manufacture of coke, pig iron and steel, or used for food processing.  
Heating, melting, burning and thawing equipment, portable, for industrial and transportation uses, excluding fire pots and blow torches.  
Gauges, standard industrial and special purpose, including plug, ring, snap, height, length and location gauges, but not testing machines.  
Gyroscopes.  
Marine instruments.

Numbering and marking machines for use on metal, except office machines.  
Optical processing machinery, manufacturers, except BX optical and laboratory machinery.  
Pipe wrapping and coating machinery.  
Reproduction machinery, architectural and engineering, such as blue printing, brown printing and white printing, but not photographic process machinery.  
Siren blowers, designed for air raid precautionary use.  
Steam engines, except railroad locomotives.

**(d) Transportation equipment and services as follows.**

Heavier and lighter than air aircraft.  
Parts for heavier and lighter than air aircraft, including any product upon which further fabrication need not be performed in order to complete its identification as a part specially designed for the production or repair of aircraft, but excluding specifically:

- (1) Lumber requiring further fabrication.
- (2) Any part whose end use cannot be determined by the seller.
- (3) Airplane tires and tubes.
- (4) Die castings covered by Maximum Price Regulation 377 (Die Castings).
- (5) Iron and steel castings covered by Revised Price Schedule 41 (Steel Castings and Railroad Specialties), Maximum Price Regulation 214 (High Alloy Castings), Maximum Price Regulation 235 (Manganese Steel Castings and Manganese Steel Castings Products), Maximum Price Regulation 241 (Malleable Iron Castings), or Maximum Price Regulation 244 (Gray Iron Castings).
- (6) Non-ferrous castings covered by Revised Maximum Price Regulation 125 (Non-ferrous Castings).
- (7) Plywood (except that molded specially for airplanes).

Marine equipment listed in Revised Maximum Price Regulation 136 (Machines, Parts and Industrial Equipment).

Ships and boats, new or used, over twenty-five feet in length, excluding stock boats built to the manufacturer's specifications and selling at a price of not more than \$3,000 to the user, and excluding parts, subassemblies or fittings for such ships and boats when sold separately.

**Sec. 13. Metals—(a) Non-ferrous metals and products as follows:**

Primary aluminum ingot and pig.  
Aluminum castings subject to Revised Maximum Price Regulation 125 (Non-ferrous Castings).  
Magnesium scrap.  
Remelt magnesium ingot.  
Magnesium and magnesium alloy ingot.  
Magnesium castings subject to Revised Maximum Price Regulation 125 (Non-ferrous Castings).  
Mercury.  
Die castings subject to Maximum Price Regulation 377 (Die Castings).

## ARTICLE III—GENERAL PROVISIONS

**Sec. 17. Articles not affected by this order.** The provisions of this order do not exempt or suspend from price control articles which are not listed, although such articles may have incorporated in them or be sold with articles which are exempted or suspended from price control.

**Sec. 18. Records and reporting—(a) Exemption or suspension from price control shall not affect the responsibility of a person to preserve records which, on the date of exemption or suspension,**



he was required to keep under the provisions of the applicable price regulation or regulations. Records of individual transactions after exemption or during a period of suspension need not be retained or reports need not be made except as may be provided by paragraph (b) of this section.

(b) *Special records and reporting requirements.*

SEC. 19. *Definitions for the purpose of this supplementary order.* (a) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, legal successor or representative of the foregoing.

(b) "Price regulation" means the price schedule effective in accordance with section 206 of the Emergency Price Control Act of 1942, as amended, a maximum price regulation or temporary maximum price regulation, heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

(c) "War procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the War Shipping Administration, the Lend-Lease Section of the Procurement Division of the Treasury Department, and any agency of any of the foregoing.

SEC. 20. *Relationship between this order and Supplementary Order 45 and Supplementary Order 123.* The provision of this Supplementary Order supersedes the provisions of Supplementary Order 45 and Supplementary Order 123 as to any article listed in this order.

SEC. 21. *Geographical applicability.* The provisions of this order shall be applicable to purchases, sales and deliveries in the forty-eight States of the United States and the District of Columbia.

This Supplementary Order No. 129 shall become effective August 31, 1945.

Issued this 29th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16229; Filed, Aug. 29, 1945;  
4:27 p. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 129, Amdt. 1]

#### SUSPENSION FROM PRICE CONTROL OF CERTAIN COMMODITIES

A statement to accompany this amendment to Supplementary Order 129 has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order 129 is amended in the following respects:

1. Section 14 is added to Article II, to read as follows:

SEC. 14. *Motor vehicles and equipment—(a) Passenger automobile parts, certain sales.* (1) Passenger automobile parts are suspended from price control.

(i) When sold to passenger automobile manufacturers for use as passenger automobile original equipment;

(ii) When sold to parts or subassembly manufacturers for use in the production of parts or subassemblies to be sold to manufacturers of passenger automobiles or other complete assemblies for use as original equipment;

(iii) When sold to manufacturers of complete assemblies other than passenger automobiles for use as original equipment in such assemblies, except that prices for sales under this subdivision (iii) shall not be higher dollarwise in relation to the seller's general level of prices for sales under subdivision (i) than was the case in March, 1942. For example, a parts manufacturer sold a certain part to automobile manufacturers in March, 1942, for \$5.00, and he sold the same part to a farm machinery manufacturer for \$6.00, or \$1.00 more. If he now raises his price to the automobile manufacturers to \$5.10, he may not charge more than \$6.10 to the farm machinery manufacturer, that figure being \$1.00 greater than the price to the automobile manufacturer. If the seller was not in business of selling automotive parts in March, 1942, he shall be guided by the March 1942 price differential of his most closely competitive seller of the same class.

(2) *Notification from purchasers of original equipment requirements.* Before delivery, a purchaser of automotive parts to be used as described in subdivisions (i), (ii) or (iii) shall notify the seller in writing of the quantity of the part required for use as original equipment in passenger automobiles or other complete assemblies or for use in the production of parts or subassemblies to be used as original equipment in passenger automobiles or other complete assemblies. The seller may rely upon the buyer's notification and treat as suspended from price control the sale and delivery of the number of parts stated by the purchaser.

(3) *Definitions.* As used in this supplementary order

(i) "Complete assembly" means an assembly in its final form and which will not be later incorporated in another product. Examples are commercial vehicles and farm tractors.

(ii) "Passenger automobile part" means any specific part, subassembly or accessory, except as excluded below, originally designed for use in a passenger automobile and fabricated to such an extent that it may be identified as to its ultimate use in a passenger automobile. "Passenger automobile parts" do not include tires; batteries; radios; or ferrous and nonferrous castings covered by regulations 41, 125, 214, 235, 241 and 244.

*Examples:* Glass is not a passenger automobile part unless cut to size to be incorporated in an automobile. Electrical wire is not a "part" within the meaning of the definition unless sufficiently fabricated so that it may be identified with its ultimate use in automobiles, as in the form of wire harness assemblies. Forgings are not "parts" unless they can be identified as to their ultimate use in a passenger automobile. Among such identifiable forgings are spindle bolts, axle

shafts, and crankshafts. Examples of stampings that are passenger automobile parts are fenders, bodies, bumpers and brackets. Automobile fabrics in general are not parts, but when the fabric is cut to size and made part of a seat, the seat is a "part". Upholstery tacks are not "parts", since they were not originally designed for use in a passenger automobile. Automobile jacks are "parts," as they are accessories meeting the requirements of the definition.

There follows a general but not exclusive list of passenger automobile parts:

- Automotive gears
- Automotive steering assemblies
- Automotive knee action front ends
- Automotive conventional type front axles
- Automotive suspension springs
- Automotive wheels and hub and drum assemblies
- Automotive bearings
- Automotive connecting rods
- Automotive valves
- Automotive valve springs
- Automotive shock absorbers
- Automotive body hardware
- Automotive fan belts
- Automotive armatures (motor and generator and wiper motors)
- Automotive brake systems
- Automotive transmissions
- Automotive oil filters
- Automotive coils and electrical parts
- Automotive heaters and defrosters
- Automotive brake parts
- Automotive engine assemblies
- Automotive radiators
- Automotive horns or warning signaling devices
- Automotive drag links
- Automotive mouldings
- Automotive oil and water pumps
- Automotive propeller shafts
- Automotive window regulators
- Automotive rear axle shafts
- Automotive ring and pinion gears
- Automotive cylinder sleeves
- Automotive speedometers

2. Section 18 (b) is amended by the addition of the following subparagraph (1):

(1) *Passenger automobile parts—(i) Industry questionnaires.* Each manufacturer who has been requested to furnish the Office of Price Administration financial information on the form bearing Bureau of the Budget No. 08-45104 shall furnish such information not later than ten days from September 8, 1945.

(ii) *Reports of increased prices.* Each seller of passenger automobile parts shall mail to the Automotive Branch,<sup>1</sup> Office of Price Administration, Washington, D. C., within five days of the agreement to sell, the following information regarding every price charged for the sale of a passenger automobile part suspended by this supplementary order which is higher than the maximum price prior to suspension:

(a) Description of the part.

(b) Name and address of buyer.

(c) Selling price.

(d) Former maximum price (not required where maximum price would have been established under section 8 of Maximum Price Regulation 452).

<sup>1</sup> Sellers of parts subject to MPR 149 shall mail these reports to the Rubber, Drugs and Chemicals Branch.

Once the above information has been reported as to a new price, reports need not be made for later sales at or below that price.

This amendment shall become effective August 31, 1945.

Issued this 29th day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16230; Filed, Aug. 29, 1945;  
4:28 p. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 130]

#### MAXIMUM PRICES FOR SALES OF CONTRACTOR INVENTORY

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

**AUTHORITY:** § 1305.158 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 103, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

**SECTION 1. What this supplementary order does.** This supplementary order fixes ceiling prices for sales by a prime contractor or subcontractor of contractor inventory which has been retained by him, but does not apply to sales which are exempt or suspended from price control under any price regulation or supplementary order heretofore or hereafter issued.

**SEC. 2. Maximum prices for contractor inventory covered by this order.** (a) The maximum price for sales by a prime contractor or subcontractor of contractor inventory retained by him shall be as follows:

(1) For materials already completed or completed subsequent to termination in accordance with the war contract:

(i) The existing maximum price established under the applicable maximum price regulation.

(ii) The adjusted contract price as hereinafter defined if the seller has no existing established maximum price.

(2) For partially fabricated or partially processed materials:

(i) The existing maximum price established under the applicable maximum price regulation.

(ii) The total cost of the material plus a percentage of such cost equal to the percentage over cost of the completed materials realized under his war contract, if the seller has no existing established maximum price.

(3) For raw materials:

(i) The existing maximum price established under the applicable maximum price regulation.

(ii) The purchase price plus freight, if any, paid by the contractor or subcontractor, if the seller has no existing established maximum price.

**SEC. 3. When OPA may establish special maximum prices or exemptions on its own motion.** The national office of the OPA, on its own motion, may by order establish special maximum prices or special exemptions, applicable to all sales of contractor inventory retained by prime contractors or subcontractors. An order issued under this section shall supersede any other pricing provision of this Supplementary Order 130.

**SEC. 4. Invoices.** (a) Every person who makes a sale subject to this supplementary order shall furnish the purchaser an invoice of sale, a copy of which he must retain, which shall include (in addition to his own and the purchaser's name and address, a brief description of the material, and the date, price, terms and quantity of the sale) the following:

(1) The number of the war contract pursuant to which the goods were to be fabricated or processed, and in the case of a subcontract, the name of the prime contractor, and (2) a statement as follows:

The price of this material does not exceed the maximum price established by Supplementary Order 130, Maximum Prices for Sales of Contractor Inventory.

**SEC. 5. Definitions.—(a) Adjusted contract price.** "Adjusted contract price" means the price established in the war contract for completed materials meeting the contract specifications, adjusted by:

(1) Subtracting the cost of material, processing, finishing, packing, freight, etc. ordinarily incurred in the performance of the war contract, but not incurred with respect to the material being priced; and

(2) Adding the net cost of all material, processing, finishing and packing not ordinarily incurred in the performance of the war contract, but incurred in preparing the material being priced for sale. All prices so established shall be f. o. b. seller's plant.

(b) **Contract.** A "contract" is a letter of intent, purchase order, or any other offer, agreement or commitment by which a war procurement agency undertakes to purchase goods, and all amendments and supplements thereto.

(c) **Subcontract.** A "subcontract" is a contract to supply a prime contractor with a product for use in fulfilling his contract with a war procurement agency. The product may be either (1) a complete product called for by the prime contract, or (2) a product for fabrication or processing, or one for physical annexation to or incorporation into a product, in the course of fulfilling the prime contract.

(d) **War procurement agency.** When used in this supplementary order, the term "war procurement agency" means the War Department, the Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Procurement Division of the Department of the Treasury of the United States, or any agency of any of the foregoing.

(e) **War contract.** "War contract" means either a contract entered into with the agencies specified in (d) above by a prime contractor or a subcontract thereunder.

(f) **Applicable maximum price regulation.** The term "applicable maximum price regulation" means any price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, as amended, any maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration and in effect, or any amendment or supplement thereto or order issued thereunder, which currently establishes a maximum price or a method for establishing the maximum price for any commodity subject to this supplementary order.

(g) **Contractor inventory.** "Contractor inventory" means (1) any property related to a terminated contract of any type with a Government agency or to a subcontract thereunder; and (2) any property acquired under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete performance thereunder; and (3) any property which the Government is obligated to take over under any type of contract as a result of any change in the specifications or plans thereunder.

(h) **Termination, terminate and terminated.** The terms "termination", "terminate" and "terminated" refer to the termination or cancellation, in whole or part, of work under a prime contract for the convenience or at the option of the war procurement agency (except for default of the prime contractor), or of work under a subcontract for any reason except the default of the subcontractor.

(i) **Material.** The term "material" includes any article, commodity, machinery, equipment, accessory, part component, assembly, work in process, and any product of any kind.

(j) **Existing established maximum price.** "Existing established maximum price" means any maximum price already established under a maximum price regulation and applicable to the commodity being priced. It includes any price already established by special order or upon special application for sales to persons other than war procurement agencies or their contractors. It does not include prices which must be filed with the OPA prior to use, or prices based upon competitors' maximum prices, or prices which can be established only upon application to the OPA.

**NOTE:** The record-keeping requirement of this supplementary order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This supplementary order shall become effective September 5, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16404; Filed, Aug. 31, 1945;  
4:12 p. m.]

## PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,<sup>1</sup>  
Amdt. 35]DESIGNATION OF CERTAIN AREAS AND RENT  
DECLARATION RELATING TO SUCH AREAS

In § 1388.1201 of Designation and Rent Declaration 25, Item 230 is amended and Item 276 is added to read as follows:

(230) Salt Lake City, Utah, Counties of Salt Lake and Tooele, in Utah and that portion of Elko County in Nevada, situated within a radius of three miles from the center of U. S. Highway 40, where said highway crosses the Nevada-Utah State Line.

(276) Ogden, Utah, Counties of Box Elder, Davis, Morgan, and Weber.

This amendment shall become effective August 31, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16414; Filed, Aug. 31, 1945;  
4:14 p. m.]

## PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,<sup>1</sup>  
Amdt. 36]DESIGNATION OF CERTAIN AREAS AND RENT  
DECLARATIONS RELATING TO SUCH AREAS

In § 1388.1201 of Designation and Rent Declaration 25, Item 18 is amended to read as follows:

(18) Pine Bluff, Arkansas, Northern District of Arkansas County, consisting of the Townships of Gum Pond, Henton, Keaton, McFall, Mill Bayou, and Morris; Jefferson County; and Southern District of Prairie County, consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roc Roe, Tyler, and Wattensaw.

This amendment shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16416; Filed, Aug. 31, 1945;  
4:15 p. m.]

## PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,<sup>2</sup>  
Amdt. 35]DESIGNATION OF CERTAIN AREAS AND RENT  
DECLARATIONS RELATING TO SUCH AREAS

§ 1388.1341 of Designation and Rent Declaration 31, Items 59 and 68 are amended and Items 192 and 193 are added to read as follows:

(59) Del Rio, Texas, Counties of Kinney, Uvalde, and Val Verde.

(68) Altus, Oklahoma, County of Jackson.

<sup>1</sup> 9 F.R. 5820, 11540, 11798, 12865, 12967, 14060; 10 F.R. 2407, 4714, 5576.

<sup>2</sup> 9 F.R. 5823, 5915, 7329, 7431, 9265, 9513, 11540, 11798, 12866, 14061, 15059, 15156; 10 F.R. 1103, 2406.

(192) Frederick, Oklahoma, County of Tillman.

(193) Eagle Pass, Texas, County of Maverick.

This amendment shall become effective August 31, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16415; Filed, Aug. 31, 1945;  
4:14 p. m.]

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(242a) Altus	Oklahoma	Jackson	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(244b) Frederick	do	Tillman	do	do	do
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde	do	May 1, 1943	June 15, 1943
(312a) Eagle Pass	do	Maverick	do	Oct. 1, 1942	Nov. 15, 1942
(334a) Ogden	Utah	Box Elder	do	do	do
	do	Davis, Morgan and Weber	do	Aug. 1, 1942	Sept. 15, 1942
	do	Salt Lake	do	do	do
(336) Salt Lake City	do	Tooele	do	Nov. 1, 1942	Dec. 15, 1942
	Nevada	That portion of Elko County, Nevada, situated within the radius of 3 miles from the center of U. S. Highway 40, where said highway crosses the Nevada-Utah State Line.	do	May 1, 1944	June 15, 1944

This amendment shall become effective August 31, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16413; Filed, Aug. 31, 1945;  
4:14 p. m.]

## PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,<sup>2</sup> Amdt. 62]

## HOTELS AND ROOMING HOUSES

The Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

## PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses,<sup>2</sup> Amdt. 61]

## HOTELS AND ROOMING HOUSES

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Items 244b, 312a, and 334a are added, and
2. Items 242a, 312, and 336 are amended as follows:

1. The application of the Rent Regulation for Hotels and Rooming Houses is terminated in the Monroe, North Carolina Defense-Rental Area; in the Orangeburg Defense-Rental Area in South Carolina; in the Tullahoma Defense-Rental Area in Tennessee; in a portion of the Pine Bluff Defense-Rental Area in Arkansas; in the Altus Defense-Rental Area in Oklahoma; in the Abilene Defense-Rental Area in Texas; in the Brady Defense-Rental Area in Texas; in the Eagle Pass Defense-Rental Area in Texas; and in the San Miguel County Defense-Rental Area in New Mexico; and consequently Items 197a, 220, 242a, 280b, 297, 298, 305a and 312a in Schedule A of the Rent Regulation for Hotels and Rooming Houses are hereby revoked and the above enumerated areas or portions thereof decontrolled.

2. Item 25 of Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Areas under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(25) Pine Bluff	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	do	Northern District of Arkansas County, consisting of the Townships of Gum Pond, Henton, Keaton, McFall, Mill Bayou, and Morris; and the Southern District of Prairie County, consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roc Roe, Tyler, and Wattensaw.	do	Dec. 1, 1943	Jan. 10, 1943

<sup>2</sup> 10 F.R. 3452, 3555, 3556, 3950, 4713, 5089, 5576, 5579, 6400, 7853, 7849, 7853, 8017.

This amendment shall become effective September 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16418; Filed, Aug. 31, 1945;  
4:15 p. m.]

# PART 1388—DEFENSE-RENTAL AREAS

[Housing, 1<sup>st</sup> Amdt. 65]

## HOUSING

Schedule A of the Rent Regulation for Housing is amended in the following respects:

1. Items 244b, 312a and 334a are added, and
2. Items 242a, 312, and 336 are amended as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which regulation statement to be filed (inclusive)
(242a) Altus.....	Oklahoma	Jackson	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(244b) Frederick.....	do	Tillman	do	do	do
(312) Del Rio.....	Texas	Kinney, Uvalde, and Val Verde	do	May 1, 1943	June 15, 1943
(312a) Eagle Pass.....	do	Maverick	do	Oct. 1, 1942	Nov. 15, 1942
(334a) Ogden.....	Utah	Box Elder	do	do	do
(336) Salt Lake City.....	do	Davis, Morgan and Weber	do	Aug. 1, 1942	Sept. 15, 1942
	do	Salt Lake	do	do	do
	Nevada	Toiyah	do	Nov. 1, 1942	Dec. 15, 1942
		That portion of Elko County, Nevada, situated within the radius of 3 miles from the center of U. S. Highway 40, where said highway crosses the Nevada-Utah State Line.	do	May 1, 1944	June 15, 1944

This amendment shall become effective August 31, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16412; Filed, Aug. 31, 1945;  
4:14 p. m.]

# PART 1388—DEFENSE-RENTAL AREAS

[Housing, 1<sup>st</sup> Amdt. 66]

## HOUSING

The Rent Regulation for Housing is amended in the following respects:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Areas under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which regulation statement to be filed (inclusive)
(25) Pine Bluff.....	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	do	Northern District of Arkansas County, consisting of the Townships of Gum Pond, Heaton, Keaton, McFall, Mill Bayou, and Morris; and the Southern District of Prairie County, consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roe Roe, Tyler, and Watersaw.	do	Dec. 1, 1942	Jan. 15, 1943

This amendment shall become effective September 1, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16417; Filed, Aug. 31, 1945;  
4:15 p. m.]

<sup>1</sup> 10 F.R. 3436, 3555, 3951, 4714, 4713, 5089, 5577, 5603, 6074, 6400, 7853, 7849, 8017.

No. 174—3

# PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 14A, Revocation]

## FIREWOOD AND COAL IN PACIFIC NORTHWEST

Subject to section 5.1 of General Ration Order 8, Ration Order 14A, Firewood and Coal in the Pacific Northwest, all orders issued thereunder, and all Office of Price Administration revocation or suspension orders, to the extent that they relate to firewood or coal, are revoked.

This order of revocation shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16403; Filed, Aug. 31, 1945;  
4:17 p. m.]

# PART 1300—PROCEDURE

[Rev. Procedural Reg. 1, 1<sup>st</sup> Amdt. 11]

## PROCEDURE FOR ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

In section 61, the first sentence is amended to read as follows: "The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open on week days, except Saturdays, from 9 a. m. to 5 p. m. and shall be closed on Saturdays."

Issued and effective this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16410; Filed, Aug. 31, 1945;  
4:16 p. m.]

# PART 1300—PROCEDURE

[Rev. Procedural Reg. 3, 3<sup>rd</sup> Amdt. 13]

## PROCEDURE FOR ADJUSTMENTS, AMENDMENTS, PROTESTS AND INTERPRETATIONS UNDER RENT REGULATIONS

In § 1300.254, the first sentence is amended to read as follows: "The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open on week days, except Saturdays, from 9 a. m. to 5 p. m. and shall be closed on Saturdays."

Issued and effective this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16411; Filed, Aug. 31, 1945;  
4:16 p. m.]

# PART 1305—ADMINISTRATION

[Gen. RO 5, 4<sup>th</sup> Amdt. 118]

## FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith,

<sup>2</sup> 9 F.R. 10476, 13715.

<sup>3</sup> 9 F.R. 10484, 12363; 10 F.R. 2431, 5077.

<sup>4</sup> 8 F.R. 10092.

has been filed with the Division of the Federal Register.

Section 5.6 (e) is added to read as follows:

(e) An additional reserve allotment shall be granted to all institutional users (other than Group I users) equal to twenty-five percent (25%) of the total meal service and refreshment allotment for each rationed food for the September-October 1945 allotment period. It shall be issued at the time when regular allotments for the September-October 1945 allotment period are issued. A seasonal user who does not operate during that allotment period shall be granted his additional reserve allotment when he applies for allotments in the first period in which he will resume operations. His additional reserve allotment shall be computed in the same way as his original reserve allotment.

This amendment shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16407; Filed, Aug. 31, 1945;  
4:17 p. m.]

#### PART 1305—ADMINISTRATION

[Rev. Supp. Order 114,<sup>1</sup> Amdt. 1]

#### ADJUSTABLE PRICING OF CERTAIN COTTON TEXTILES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Supplementary Order No. 114 is amended by adding the following Reference No. to the list appearing in section 5:

	Applicable percentage limit	
	I	II
48. Soft filled sheetings.....	2	5

This amendment shall become effective September 5, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16499; Filed, Sept. 4, 1945;  
11:47 a. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 120, Amdt. 1]

#### SPECIAL PROVISIONS FOR WHOLESALEES OF FOOTWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

<sup>1</sup> 10 F.R. 9875.

Supplementary Order 120 is amended in the following respects:

1. Section 1 (b) is amended to read as follows:

(b) *What commodities are covered.* This order applies to footwear of the categories enumerated in Appendix A. It does not apply to athletic footwear, used footwear, footwear for which dollar-and-cent wholesale prices have been established by order under Supplementary Order 94 or to footwear subject to the provisions of Supplementary Order 122.

2. Section 3 (c) is deleted and a new paragraph (c) is inserted in its place to read as follows:

(c) *Authority to Regional Administrators to grant exceptions.* Any wholesaler may request the Regional Administrator for the OPA Region in which his principal office is located to grant an OPA Shoe Wholesaler Number to him, or to permit him to sell footwear at a price in excess of that established by section 6 of this order, notwithstanding the other provisions of this order. Such request will be granted by the Regional Administrator only if he finds that the wholesaler conducts, or proposes to conduct, a business which renders a recognized, bona fide distributive function of a type normally performed by wholesalers in the sale of footwear at wholesale and that such action will not adversely affect, directly or indirectly, the program of price control with respect to footwear. Such action by the Regional Administrator may be limited or conditioned in any manner necessary to assure that the action will not contravene the purposes of this order and will not adversely affect the program of price control with respect to footwear.

3. Section 7 (a) (1) is amended to read as follows:

(1) "Footwear" means any type of outside covering for the human foot, but does not include hosiery, knitted booties, footwear made entirely of wood or footwear in which vulcanization is used in the process of manufacture for the purpose of attaching the sole to the upper material. The term does not include used footwear.

4. Section 7 (a) (4) (iii) (c) is amended by inserting a comma followed by the words "brother or sister" between the word "daughter-in-law" and the word "relationships" in the text thereof.

5. Section 7 (a) (5) (iii) (b) is amended by deleting the word "supplier" appearing therein and by substituting therefor the word "purchaser".

6. In sections 1, 5 and 6, the date "September 15, 1945" is substituted for the date "September 1, 1945" wherever it appears therein.

This amendment shall become effective August 31, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16403; Filed, Aug. 31, 1945;  
4:13 p. m.]

#### PART 1305—ADMINISTRATION

[Supp. Order 131]

#### REVISED MAXIMUM PRICES FOR CERTAIN COTTON TEXTILES

A statement of the considerations involved in the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.

AUTHORITY: § 1305.160 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

SECTION 1. *What this order does.* This supplementary order establishes two bands of revised maximum prices, one higher than the other, for producers of certain cotton textiles.<sup>1</sup> It supplements and modifies the price schedules and regulations referred to in section 4 with respect to their coverage of the items designated in that section. Except as they are supplemented and modified by this supplementary order, the provisions of those price schedules and regulations remain in full force and effect.

SEC. 2. *To whom the higher band prices apply.* (a) The higher band of maximum prices applies to those producers, and to those producers only, who since March 1, 1945, have increased the wage rates of all their workers at least 5¢ per hour<sup>2</sup> and, in addition, are paying any one of the following:

(1) A minimum wage of 55¢ per hour for all workers except learners and handicapped.

(2) A premium of 5¢ per hour for all hours worked on the third shift which shall be operated no less than 10% of the man hours worked on the first and second shifts combined during the second quarter of 1945, or

(3) A minimum of one week's paid vacation per year.

(b) Any producer who is qualified to charge the maximum prices in the higher band is authorized to collect, in connection with existing contracts or deliveries already made (but only if he lawfully reserved that right), the difference between the maximum price prevailing on June 1, 1945, and the maximum price in the higher band. The amount which he may so collect is limited, however, as follows:

(1) In the case of sales and deliveries made pursuant to Supplementary Order 114,<sup>3</sup> to 4%;

<sup>1</sup> In general, the items to be included in this supplementary order will be those designated in Revised Supplementary Order 114. In some cases, only one revised maximum price, or revised prices for persons other than producers or for items not designated in Revised Supplementary Order 114, may be established.

<sup>2</sup> Producers who have applied to the National War Labor Board for permission to increase the wage rates of all their workers at least 5¢ per hour and whose applications in this respect have been partially or wholly denied shall be deemed to be in compliance with the requirement that they "have increased the wage rates of all their workers at least 5¢ per hour" if they are paying, in respect to this feature, the amount approved by the Board.

<sup>3</sup> 10 F.R. 7528, 7850, 9926.



(2) In the case of sales and deliveries made pursuant to Revised Supplementary Order 114,\* to the applicable percentage set forth in Column II of section 5 of that revised supplementary order.

(c) A producer who is not qualified to charge the maximum prices in the higher band shall not charge or collect any more than is permitted by section 3 below, notwithstanding any reservation or certification made by him under Supplementary Order 114 or Revised Supplementary Order 114.

SEC. 3. To whom the lower band prices apply. (a) The lower band of maximum prices applies to all producers who do not qualify to charge the higher.\*

(b) Any producer who is not qualified to charge the maximum prices in the higher band is authorized to collect, in connection with deliveries made under contracts entered into pursuant to Revised Supplementary Order 114 (but only if he lawfully reserved that right), the difference between the maximum price prevailing on June 1, 1945 and the maximum price in the lower band. The amount which he may so collect, however, shall not exceed the applicable percentage set forth in Column I of Section 5 of Revised Supplementary Order 114.

SEC. 4. Revised maximum prices for producers—(a) Carded cotton yarns. (1) In Table II of § 1307.66 (b) (2) of Maximum Price Regulation No. 33,<sup>6</sup> the maximum prices set forth for base-grade carded cotton yarns are revised and amended to read as follows:

TABLE II—BASE GRADE YARNS

Yarn numbers	Higher band		Lower band	
	Singles	Plied	Singles	Plied
	Cents per pound	Cents per pound	Cents per pound	Cents per pound
6s and under.	40.25	42.75	39.25	42.00
8s.	40.75	43.25	39.75	42.50
10s.	41.50	44.25	40.75	43.25
12s.	42.50	45.75	41.75	44.75
14s.	43.50	47.25	42.75	46.25
16s.	44.75	48.50	43.75	47.50
18s.	45.75	49.75	44.75	48.75
20s.	46.75	51.00	45.75	49.75
22s.	48.00	52.75	47.00	51.75
24s.	49.25	54.50	48.25	53.50
26s.	51.00	56.75	49.75	55.50
28s.	52.00	58.25	50.75	57.00
30s.	53.25	60.00	52.25	58.75
32s.	54.75	61.50	53.75	60.25
34s.	56.00	63.25	54.75	61.75
36s.	57.00	64.25	55.75	62.75
38s.	58.25	65.50	57.00	64.25
40s.	59.25	67.00	58.00	65.75
42s.	61.00	69.50	59.75	68.00
44s.	62.75	71.00	61.25	69.50
46s.	64.50	72.75	63.25	71.25
48s.	66.25	74.75	65.00	73.00
50s.	68.50	76.75	67.00	75.25

\* 10 F.R. 9875.

\* This includes any producer who qualifies or has qualified for adjustable pricing permission by virtue of certification and reservation under Supplementary Order 114, but whose application to pay the "1945 textile wage increase" (as defined in Revised Supplementary Order 114) is pending before the National War Labor Board or who is a party to a dispute case before that Board involving the issue whether he will pay it. These producers are authorized to collect the difference specified in section 3 (b); and when and if they become eligible to charge the higher band price, they may collect the unpaid balance of the amount specified in section 2 (b). Moreover, these producers are

(2) In § 1307.67 (f) (1) of Maximum Price Regulation No. 33,<sup>6</sup> the figures for use in establishing "in line with" prices for yarns containing low grade and/or cotton waste are revised and amended to read as follows:

Yarn number	Higher band		Lower band	
	Singles	Plied	Singles	Plied
	Cents per pound	Cents per pound	Cents per pound	Cents per pound
1s.	39.00	41.00	38.00	40.75
2s.	39.25	41.75	38.25	41.00
3s.	39.50	42.00	38.50	41.25
4s.	39.75	42.25	38.75	41.50
5s.	40.00	42.50	39.00	41.75

(b) Combed cotton yarns. (1) The figures set forth in Table I of § 1307.12 (b) of Revised Price Schedule No. 7,<sup>7</sup> shall constitute the higher band of revised maximum prices for base-grade combed cotton yarns.

(2) The lower band of revised maximum prices for base-grade combed cotton yarns covered by Table I of § 1307.12 (b) of Revised Price Schedule No. 7,<sup>7</sup> shall be the following:

Yarn number	Lower band	
	Singles	Plied
	Cents per pound	Cents per pound
8s.	47.75	49.25
10s.	48.25	49.75
12s.	48.75	50.75
14s.	49.25	52.75
16s.	49.50	53.75
18s.	49.75	54.75
20s.	51.75	55.50
22s.	52.75	57.00
24s.	53.75	58.50
26s.	54.75	60.00
28s.	55.00	62.00
30s.	55.00	64.00
32s.	56.00	65.25
34s.	56.00	67.25
36s.	56.00	69.25
38s.	56.00	70.25
40s.	56.00	72.25
42s.	56.25	74.25
44s.	56.75	76.50
46s.	57.25	77.00
48s.	57.25	79.00
50s.	57.25	81.00
52s.	57.25	83.00
54s.	57.00	85.00
56s.	57.00	87.00
58s.	57.00	89.00
60s.	57.00	91.00
62s.	57.00	93.00
64s.	57.00	95.00
66s.	57.00	97.00
68s.	57.00	99.00
70s.	57.00	101.00
72s.	57.00	103.00
74s.	57.00	105.00
76s.	57.00	107.00
78s.	57.00	109.00
80s.	57.00	111.00
82s.	57.00	113.00
84s.	57.00	115.00
86s.	57.00	117.00
88s.	57.00	119.00
90s.	57.00	121.00
100s.	57.00	123.00
110s.	57.00	125.00
120s.	57.00	127.00
130s.	57.00	129.00
140s.	57.00	131.00

authorized, in connection with contracts made on and after the effective date of any relevant revised maximum prices, to reserve the right to charge the difference between the lower and higher band ceilings; and this difference may be collected when and if the producer becomes eligible to charge the higher band price.

\* 7 F.R. 7657, 8948, 10070; 8 F.R. 2345, 3520, 9750, 13497; 9 F.R. 10578, 11803.

\* 7 F.R. 1221, 2000, 2132, 2277, 2393, 2503, 2737, 3160, 3551, 3664, 5481, 5943, 9732, 10463; 8 F.R. 972, 5755, 9285, 11870, 12011, 14004; 9 F.R. 10636, 11903, 12412; 10 F.R. 1141, 3552.

(c) Bed linens. (1) In Table III of § 1316.111 (c) of Revised Price Schedule No. 89,<sup>8</sup> the plus and minus percentages set forth for use in determining the maximum prices for the types of bed linens set forth below are revised and amended to read as follows (all plus percentages):

	Higher band	Lower band
Type 150.....	10.53	7.42
Type 151.....	8.95	6.10
Type 152.....	12.05	10.10
Type 153.....	15.00	12.95
Back-filled type.....	15.00	12.95

(2) In § 1316.111 (d) (3) (i) of Revised Price Schedule No. 89,<sup>8</sup> the maximum prices for bleached pillow tubing are revised and amended to read as follows:

Type of pillow tubing	Width (inches)	Higher band (cents per yard)	Lower band (cents per yard)
Type 123.....	23	25.75	25.00
	43	27.00	25.25
	42	27.75	27.00
	45	29.00	29.25
Type 140.....	23	23.25	27.50
	43	23.00	23.25
	42	31.25	30.50
	45	33.75	33.00

(d) Chambrays and coverlets. Table V (excluding the footnotes) of § 1316.61 (b) (4) of Revised Price Schedule No. 35,<sup>9</sup> is revised and amended to read as follows:

TABLE V—CHAMBRAYS AND COVERLETS

[Prices are for all shades and colors]

Class of cloth and weight in yards per pound <sup>1</sup>	Higher band		Lower band	
	Chambrays <sup>2</sup>	Coverlets <sup>3</sup>	Chambrays <sup>2</sup>	Coverlets <sup>3</sup>
Carded and yarn shirtings <sup>4</sup>	Cents per yard	Cents per yard	Cents per yard	Cents per yard
Mill finish:				
4.85 yards.....	14.025	14.25	14.25	14.25
3.90 yards.....	16.125	17.00	15.75	16.625
3.20 yards.....	18.125	20.00	19.625	19.50
Sanforized:				
3.60 yards.....	12.125	20.00	18.625	19.50
2.60 yards.....	22.50	23.375	21.75	22.625
Carded coarse yarn shirtings <sup>4</sup>				
Mill finish:				
3.20 yards.....	10.125	19.50	18.625	18.575
3.60 yards.....				
Sanforized:				
2.60 yards.....		23.00		22.375
2.70 yards.....	22.50		21.75	
Cotton pants coverlets <sup>4</sup>				
Mill finish:				
2.60 yards.....		21.75		21.00
2.20 yards.....		23.25		21.50
1.85 yards.....		20.75		20.00
Sanforized:				
2.40 yards.....		25.00		24.25
2.60 yards.....		29.00		28.25
1.05 yards.....		35.00		34.00

(e) Cottonades and whipcords. (1) In § 1400.118 (d) (25) (iii) of Maximum Price Regulation 118,<sup>10</sup> the maximum prices for napped-back cottonades are revised and amended to read as follows:

\* 7 F.R. 715, 1375, 2107, 2000, 2132, 2233, 2739, 3163, 3327, 3447, 3962, 4176, 4732, 7539, 8337, 8348; 8 F.R. 8970, 11245; 9 F.R. 1717, 9316, 6645.  
 \* 8 F.R. 1863, 5306, 15306, 16744; 9 F.R. 2320, 2477, 2237, 2790, 3339, 7700, 9278, 10033, 10321; 10 F.R. 3376, 8129, 8659.

Reference No.	Width	Weight	Finish	Trade Name	Higher Band	Lower Band
	<i>Inches</i>	<i>Yds. per lb.</i>			<i>Cents per yd.</i>	<i>Cents per yd.</i>
1	30	1.74	Sanforized	Stronghold	29.75	29.00
2	30	1.92	Sanforized	Dixie	27.50	26.75
3	30	1.95	Regular	Stronghold	24.75	24.00
4	30	2.40	Regular	Dixie	22.75	22.25
5	36	1.45	Sanforized	Champion*	35.75	34.75
6	36	1.68	Sanforized	Equity	33.00	32.00
7	36	1.63	Regular	Champion	29.75	29.00
8	36	2.00	Regular	Equity	27.50	26.75

\*For double napped goods of this trade name a premium of ½ cent per yard may be charged.

(2) In § 1400.118 (d) (25) (iv) of Maximum Price Regulation 118,<sup>10</sup> the maximum prices for napped-back whippcords are revised and amended to read as follows:

Reference No.	Width	Weight	Finish	Trade Name	Higher Band	Lower Band
	<i>Inches</i>	<i>Yds. per lb.</i>			<i>Cents per yd.</i>	<i>Cents per yd.</i>
1	30	1.92	Sanforized	Hill Crest	27.50	26.75
2	30	2.40	Regular	Hill Crest	22.75	22.25
3	36	1.45	Sanforized	Brigadier	37.25	36.00
				Corona	37.25	36.00
				Battle Axe	37.25	36.00
				Bengo	37.25	36.00
4	36	1.66	Sanforized	Cadet	33.00	32.00
5	36	2.00	Regular	Cadet	27.50	26.75
6	36	1.50	Regular	Mount Eagle*	41.25	40.00
7	36	1.35	Sanforized	Mount Eagle*	46.25	45.00

\*dobby.

This supplementary order shall become effective August 31, 1945, except that section 4 (b) shall become effective September 10, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16405; Filed, Aug. 31, 1945;  
4:11 p. m.]

#### PART 1340—FUEL

[MPR 120, Corr. to Amdt. 147]

#### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Amendment No. 147 to Maximum Price Regulation No. 120 is corrected in the following respects:

1. In the table of maximum prices in § 1340.227 (b) (2), the maximum price "393" for Size Group Nos. 2, 3 and 5 of Subdistrict No. 6 is corrected to read "493".

2. The specific description of Size Group No. 5 in § 1340.227 (b) (4) is corrected by inserting the word "not" immediately after the words "bottom size" and before the words "less than".

This correction to Amendment No. 147 to Maximum Price Regulation No. 120 shall become effective as of August 3, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16466; Filed, Sept. 4, 1945;  
11:48 a. m.]

<sup>10</sup> 8 F.R. 12186, 12934; 9 F.R. 401, 10088, 10925, 14211, 14383, 14676; 10 F.R. 705, 857, 1292, 2020.

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMFR 129, Amdt. 1]

#### CERTAIN CONVERTED PAPER PRODUCTS AND CERTAIN INDUSTRIAL PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 129 is amended in the following respects:

1. Section 3a is added to read as follows:

SEC. 3a. *Application to import transactions.* This regulation applies to transactions in commodities to be imported into the continental United States.

2. In section 8, the word "person" appearing in the first sentence is deleted and the word "manufacturer" is substituted therefor.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16467; Filed, Sept. 4, 1945;  
11:48 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 1]

#### GENERAL PRICING PROVISIONS FOR CERTAIN FOOD PRODUCTS (GROUP I)

A statement of the considerations involved in the issuance of this amendment

<sup>19</sup> 9 F.R. 6825.

<sup>20</sup> 9 F.R. 6711.

has been issued and filed with the Division of the Federal Register.

Food Products Regulation No. 1 is amended in the following respects:

1. In section 1.5 the first undesignated paragraph is amended to read as follows:

"Primary distributor" means a distributor, other than a wholesaler or retailer, who purchases all he sells (for his own account) of the kind and brand of product being priced and who during the one-year period immediately preceding the time of sale made at least 50% (by dollar volume) of his purchases of the kind from processors in carload quantities delivered for storage into a warehouse not owned or controlled by any of his suppliers or customers, for resale by him in less-than-carload quantities.

2. Section 1.6 is amended to read as follows:

SEC. 1.6 *Meaning of "wholesaler" and "retailer".*

NOTE: These definitions of "wholesaler" and "retailer" are derived from Maximum Price Regulations Nos. 421,<sup>2</sup> 422,<sup>3</sup> and 423,<sup>4</sup> the regulations which apply generally to sales of food products at wholesale and retail. At these levels of distribution, unlike those covered by this regulation and its supplements, sellers are classified on the basis of their over-all food operations, and not according to the way they handle any particular product.

"Wholesaler" means a person the larger dollar volume of whose food business is the purchase and resale of food products, without materially changing their form, for distribution out of his warehouse to independent retail stores, or to commercial, industrial or institutional users.

"Retailer" means a person the larger dollar volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers other than commercial, industrial and institutional users.

3. Section 2.4 is amended in the following respects:

a. The text of paragraph (a) preceding paragraph (a) (2) is amended to read as follows:

Under this section, the processor's maximum price per dozen or other unit for sales to purchasers other than government procurement agencies shall be figured as follows. (A maximum price shall be figured for each factory at which he processes the item being priced, although the processor may later elect to combine prices as provided in section 2.7 of Food Products Regulation No. 1, where applicable to the particular supplement.) He shall:

(1) *Figure the "direct cost" of the item.* The processor's "direct cost" per dozen or other unit of the item shall be figured by adding together the following:

<sup>2</sup> 10 F.R. 1496, 5037, 5369, 7251.

<sup>3</sup> 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8556.

<sup>4</sup> 10 F.R. 1523, 2025, 2298, 3814, 5370, 5578, 6235, 6514, 8015, 8556.

(i) His actual cost per unit of all ingredients (other than raw agricultural commodities) and of packaging materials, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs or, if no maximum price has been established, figured at no more than its current market price;

(ii) His actual cost per unit of all raw agricultural ingredients included in the Commodity Credit Corporation's purchase and resale program, figured in each case at no more than the Commodity Credit Corporation's resale price for the area in which his customary receiving point is located;

(iii) His actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs;

(iv) His actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has either recommended prices for payment to growers or announced support prices, figured in each case at no more than that price;

(v) His direct labor cost per unit, figured at no higher than lawful current rates; and

(vi) Transportation charges per unit by the usual mode of transportation from his customary supplier to his factory with respect to any cost used in (i), above, and from his customary receiving point to his factory with respect to any cost used in (ii), (iii) and (iv), above, if that cost is not a delivered cost and if these charges are customarily incurred.

b. In paragraph (g), Example 2, the date "1944" is changed to read "1945".

c. In paragraph (j), the last sentence is amended to read as follows: "However, in the case of sales to government procurement agencies, the processor is not required to give a discount either for prompt payment or for 'brokerage.'"

d. In paragraph (k), the following undesignated paragraphs are inserted after the undesignated paragraph beginning, "After filing the report \* \* \*":

The reported price shall be considered approved 30 days after the report is mailed (or all additional information that may have been requested) unless, within that time, the processor has received notice from the Office of Price Administration that it has either disapproved the price or authorized a maximum price.

If the processor does not submit all additional information that may have been requested, within 30 days after the request is mailed, his report shall be considered withdrawn and the docket closed. The docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Administration will not be given unless the report is refiled.

4. Section 2.5 is amended to read as follows:

**Sec. 2.5 Individual authorization of maximum prices.** This section applies to processors and repackers.

If the processor or repacker cannot otherwise determine his maximum price for an item under any of the pricing methods of the applicable supplement and he cannot or elects not to price under section 2.4 of Food Products Regulation No. 1 (where adopted by the applicable supplement) before delivering the item to any purchaser he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price, for each factory at which he processes the item, subject to the conditions set forth below.

(a) *Information that must be given in all cases.* In all cases, the seller shall submit the following information as part of his application:

(1) A description in detail of the item for which a maximum price is sought, including its grade and brand name (if any) to be used, a statement of the facts that make it different from the most similar item for which he has determined a maximum price, identifying the similar item and stating its maximum price, and a statement giving the reasons why a maximum price cannot be established under the pricing methods of the applicable supplement. (The statement of reasons should indicate whether sales of the item have previously been made and if so how its maximum price was determined, and the reasons why the seller cannot price the item under section 2.2 of Food Products Regulation No. 1 or other differential method provided in the applicable supplement.)

(2) The weighted average raw material cost per ton or other unit figured in the manner and subject to any limitations set forth in the general pricing methods of the applicable supplement, and a statement showing his current case (unit) yield.

(3) The maximum price proposed for the item, indicating whether it is for sale to purchasers other than government procurement agencies (in this case he should make due allowance for applicable subsidy payments) or to government procurement agencies (or both), any discounts or allowances that should be made applicable to the proposed price and a list of his customary discounts, transportation and other allowances and price differentials.

(4) The method of distribution to be used by the seller in marketing the item (i. e., whether it is to be sold to wholesalers, retailers, consumers or other classes of purchasers).

(5) The volume of the item which he has on hand and which he expects to produce during the following twelve months.

(b) *Supplementary information that must be given if required by the applicable supplement or specifically requested.* If required by the applicable supplement or specifically requested by the Office of Price Administration, the seller shall submit the following information in addition to that set forth in paragraph (a):

(1) An itemized current cost breakdown per dozen or other unit of the item

to be priced, showing separately, according to his own system of accounts or regularly prepared operating statements, all major component cost factors (e. g., direct costs, such as raw materials, packaging materials and direct labor; indirect costs, such as indirect labor, factory overhead, and selling, advertising and administrative cost, together with an explanation showing the method of allocation of the indirect cost factors; and freight if sold on a delivered basis) indicating whether each cost item is an actual or an estimated cost.

If the seller is a processor, the cost breakdown shall show the cost of all raw agricultural commodities used as ingredients, as follows:

(i) Actual cost per unit of all raw agricultural ingredients included in the Commodity Credit Corporation's purchase and resale program, figured in each case at no more than the Commodity Credit Corporation's resale price for the area in which his customary receiving point is located.

(ii) Actual cost per unit of all other raw agricultural ingredients, for which maximum prices have been established, figured in each case at no more than the current maximum price applying to the class of purchasers to which he belongs.

(iii) Actual cost per unit of all other raw agricultural ingredients, for which no maximum prices have been established but for which the Department of Agriculture has either recommended prices for payment to growers or announced support prices, figured in each case at no more than that price, or, if no recommended or support price has been announced, figured at no more than its current market price.

"Actual cost per unit of all other raw agricultural ingredients" means net cost per dozen or other unit after the deduction of any direct subsidy payment, payable per unit of ingredients or per unit of the finished product, the amount of which has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy, and which is applicable to the particular goods being priced. The processor shall state separately in his application the amount of any such direct subsidy payment.

(2) The maximum price and an identical current cost breakdown (for comparison) of the most closely comparable food item that contributes substantially to his total volume of business, including a list of the discounts, transportation and other allowances and price differentials given with respect to that item.

"Most closely comparable food item" means the most closely comparable food item (i) which is covered by the same general pricing method of the applicable supplement; or, if the processor has not established a maximum price for another item under that pricing method, one which is covered by the same supplement; or, if the processor has not established a maximum price for another item under that supplement, any food item; (ii) whose current direct cost is closest to the direct cost of the item being priced; and (iii) for which the methods employed in its sale and merchandising

are similar to those which will be used in the sale and merchandising of the item being priced. As between two or more items having the same direct cost, the one whose maximum price represents the smallest percentage of its own direct cost shall be used.

"Current" means at the time of applying for the new maximum price.

(c) *Disposition of application.* Upon receipt of the application, the Office of Price Administration will authorize a maximum price for sales to purchasers other than government procurement agencies, or a method for determining the maximum price, for the applicant or for sellers of the item generally, including purchasers for resale or for a class of such resellers. The maximum price authorized will be one that bears a proper relationship to those for comparable commodities and sellers.

Separate maximum prices will be authorized for sales to government procurement agencies. For a processor, consideration will be given to the Commodity Credit Corporation's purchase price for the area in which his factory is located, in the case of a raw agricultural ingredient included in the Commodity Credit Corporation's purchase and resale program. Similarly, consideration will be given to any direct subsidy payment, the amount of which is stated in the applicable supplement or has been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being priced or their ingredients.

A proposed price shall be considered authorized 30 days after the application is mailed (or all additional information that may have been requested) unless, within that time, the applicant has received from the Office of Price Administration a notice to the contrary.

If the applicant does not submit all additional information that may have been requested, within 30 days after the request is mailed, his application shall be considered withdrawn and the docket closed. The docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Administration will not be given unless the application is refiled.

(d) *Delivery before authorization of prices.* After filing the application, the seller may deliver the item, but he may not receive payment for it until a maximum price is authorized. In the case of sales to government procurement agencies, payments up to 75% of the maximum price proposed by him may be made, provided that the contract in each case stipulates that final settlement (including any necessary refunds) shall be made consistently with the maximum price as finally established.

(e) *Subsequent statement of actual cost.* Where any cost factor set forth in the application is an estimated amount, the seller shall file with the Office of Price Administration, Washington, D. C., not earlier than three months nor later than six months after a maximum price has been authorized, a statement showing the actual cost of that factor in his production of the item since the maximum price was authorized.

(f) *Failure to apply when required.* If the seller fails to apply for a maximum price under this section, when required to do so, the Office of Price Administration may authorize a maximum price for his sales of the item bearing a proper relationship to those for comparable commodities and sellers. This will not relieve the seller of his obligation to comply with this section or with any other provision of the applicable supplement, nor will it relieve him of any penalty for failure to do so.

(g) *Revision of prices by the Office of Price Administration.* Any maximum price established under this section shall be subject to revision at any time by the Office of Price Administration.

5. The second paragraph of section 2.6 is amended to read as follows:

Any seller who regularly sold a purchaser the item being priced on a delivered basis during the base period named in the applicable supplement shall figure a maximum delivered price by adding to the maximum price for the item, figured f. o. b. shipping point, the amount of the transportation charge, per unit of that item, which he added to his f. o. b. shipping point price during that period (but only before March 18, 1942). Any seller whose transportation charge during the base period was based on the use of his own trucks or of ocean freight and who is now compelled to use a common or contract carrier, or was based on the use of a different type of common or contract carrier, may add transportation charges to the same destination by the new means of transportation but at the rate in effect for that freight tariff classification during that period (but only before March 18, 1942). The resulting figure is the seller's maximum delivered price to that purchaser.

6. In section 2.7, the last undesignated paragraph is amended to read as follows:

In the case of seasonal commodities, the seller shall refigure his weighted average maximum price at the beginning of each subsequent pack on the basis of sales made during the one-year period immediately preceding the date of recalculation. In other cases, the seller shall refigure at the end of each subsequent one-year period.

7. In section 2.8, the second sentence of the first undesignated paragraph is deleted. In the last undesignated paragraph, the phrase "three-months' period" is changed to read "six-months' period."

8. Section 2.9 is amended to read as follows:

SEC. 2.9 *Maximum prices for primary distributors.* There are two pricing methods for primary distributors.

(a) *First pricing method.* A seller may use the following pricing method only (1) if at the time of sale he is a primary distributor, as defined in section 1.5 of Food Products Regulation No. 1, of the kind and brand of product being priced, (2) if he sold the kind of product being priced (regardless of

brand) as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942, (3) when he is selling, in less-than-carload quantities, goods that he has purchased from the processor and actually warehoused, and (4) as to sales and deliveries made on and after October 10, 1945, if he has been notified in writing by the Regional Administrator of the Office of Price Administration that, subject to the foregoing limitations, he is qualified to use this pricing method for the kind of product being priced.

If the processor's maximum price for the item under the applicable supplement is greater than the processor's maximum price under the maximum price regulation previously applicable to the processor, the primary distributor shall add the difference to the maximum price he had immediately prior to the effective date of the applicable supplement. If the processor's maximum price for it under the applicable supplement is less than the processor's maximum price under the maximum price regulation previously applicable to the processor, the primary distributor shall subtract the difference from the maximum price he had immediately prior to the effective date of the applicable supplement. However, in no event may the primary distributor's maximum price be greater than his net delivered cost (based upon purchases directly from the processor) plus the markup named in the applicable supplement. The resulting figure is the primary distributor's maximum price for the item when warehoused by him and sold in less-than-carload quantities. (When selling particular goods that he has repackaged, the seller prices as a "repacker".)

If the primary distributor sold the kind of product being priced (regardless of brand) as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942, but did not sell the particular variety, grade, brand, style of pack, container type or size being priced before the effective date of the applicable supplement, his maximum price for the new item shall be his net delivered cost (based on his first purchase of the item after that date direct from the processor) multiplied by a markup factor. This markup factor shall be figured by dividing his maximum price (as figured under this section) for the most closely comparable item of that kind and variety of product already handled by him by the current net delivered cost to him of that item. He may apply this markup factor only when he is selling, in less-than-carload quantities, goods that he has purchased from the processor and actually warehoused.

(b) *Second pricing method.* For all items, and for sales of such items, that are not covered by the first pricing method, the primary distributor's maximum price, f. o. b. shipping point, shall be:

(1) The maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by the primary distributor, if he purchased the particular goods being priced from a supplier other than a wholesaler or retailer.



(2) The "net cost" of his supplier under Maximum Price Regulation No. 421, 422 or 423, plus incoming freight paid by the primary distributor, if he purchased the particular goods being priced from a wholesaler or retailer.

(c) *Application by primary distributor.* (1) Before making any sales under the first pricing method, the primary distributor shall apply in writing to the Regional Office of the Office of Price Administration for the region in which his principal place of business is located. His application shall state, in addition to his name and address:

(i) Whether he now prices any product as a wholesaler or retailer under Maximum Price Regulation No. 421, 422 or 423.

(ii) For the kind of product being priced, his total dollar purchases during each of the one-year periods ending April 28, 1940, 1941 and 1942; his total dollar purchases from processors in carload quantities during each of those periods that were delivered for storage into a warehouse not owned or controlled by any of his suppliers or customers; and the name and address of the warehouse.

(iii) For the kind of product being priced, his total dollar sales during each of the one-year periods ending April 28, 1940, 1941 and 1942; and the total dollar sales, during each of those periods, that were made in less-than-carload quantities.

(iv) The names and addresses of his principal suppliers of the kind of product being priced during the three-year period ending April 28, 1942.

(2) Each Regional Administrator of the Office of Price Administration may act upon applications filed under this paragraph by persons located within his jurisdiction.

(3) As to sales and deliveries made on and after October 10, 1945, until receipt of written notice from the Regional Office of the Office of Price Administration that the applicant is qualified to use the first pricing method, his maximum prices for the kind of product being priced shall be figured under paragraph (b).

*Examples:* The processor's ceiling prices for tomato juice under Supplement 7 and under the supplement presently applicable are the same. Therefore, the primary distributor's maximum price remains the same under the applicable supplement as it was under Supplement 7.

The processor's ceiling price under Supplement 7 for asparagus (all green spears) in No. 2 size cans was \$3.85 per dozen for colossal size, A—fancy grade. Under the supplement presently applicable it is now \$3.95 per dozen. The primary distributor therefore adds the increase of 10 cents to his own ceiling price under Supplement 7; *Provided*, That, the maximum price so determined does not exceed his net delivered cost plus the markup named in the supplement.

The primary distributor handled packed grapefruit juice as a primary distributor during at least one of the three successive one-year periods ending April 28, 1942. He added packed orange juice to his line in October 1942. Although he may use the first pricing method for packed grapefruit juice, he must use the second pricing method for packed orange juice because he did not sell it as a primary distributor during any one of those periods.

During at least one of the three successive one-year periods ending April 28, 1942, the primary distributor handled "X" brand fancy sweetened grapefruit juice in No. 2 size cans, for which his maximum price under the applicable supplement is \$1.24 per dozen and his current net delivered cost is \$1.15 per dozen. He now adds to his line "X" brand fancy sweetened grapefruit juice in No. 3 cyl. cans, which he handles as a primary distributor and for which the net delivered cost of his first purchase from the processor is \$2.60 per dozen. Because the No. 2 can size is the most closely comparable item of the same kind and variety, he divides \$1.24 by \$1.15 and obtains a markup factor of 108%. Application of 108% to \$2.60 results in a figure of \$2.81, which is his maximum price for the new item when he sells, in less-than-carload quantities, goods that he has purchased in carlots from processors and actually warehoused.

9. Section 2.10 is amended to read as follows:

*SEC. 2.10 Maximum prices for sales by distributors who are not primary distributors' wholesalers or retailers.* The maximum price, f. o. b. shipping point, of a distributor who is not a primary distributor, wholesaler or retailer shall be:

(a) The maximum price of his supplier, f. o. b. shipping point, plus incoming freight paid by the distributor, if he purchased the particular goods being priced from a supplier other than a wholesaler or retailer.

(b) The "net cost" of his supplier under Maximum Price Regulation Nos. 421, 422 or 423, plus incoming freight paid by the distributor, if he purchased the particular goods being priced from a wholesaler or retailer.

10. Section 2.12 is amended to read as follows:

*SEC. 2.12 Maximum prices for sales to government procurement agencies.* When this section applies to a supplement, it applies to all sellers covered by the supplement. However, it applies only where no maximum price is specifically provided by the applicable supplement for sales of the item being priced to government procurement agencies.

(a) The seller's maximum price, f. o. b. shipping point, for sales to government procurement agencies shall be 98% of his maximum price, f. o. b. shipping point, to purchasers other than government procurement agencies (for processors and repackers, "f. o. b. shipping point" means "f. o. b. factory"), after that maximum price has been adjusted, where necessary, as follows:

(1) If the seller is the processor and if any raw agricultural commodity used as an ingredient of the item is covered by the Commodity Credit Corporation's purchase and resale program, the processor shall first increase the maximum price per dozen or other unit, f. o. b. factory, by the difference, per dozen or other unit, between the Commodity Credit Corporation's purchase price for the area in which his customary receiving point is located and its resale price for that area. This difference shall be converted to units of the finished product by applying the yield factor (if any) named by the applicable supplement for use in figuring the maximum price for sales to

purchasers other than government procurement agencies.

(2) If the seller is the processor, he shall increase the maximum price per dozen or other unit, f. o. b. factory, by the amount of any direct subsidy payment the amount of which is stated in the applicable supplement or has previously been announced by the Commodity Credit Corporation or other agency responsible for the administration of the subsidy and which is applicable to the particular goods being sold or their ingredients. If the subsidy is not payable per unit of the finished product, it shall be converted to units of the finished product by applying the yield factor (if any) named by the applicable supplement for use in figuring the maximum price for sales to purchasers other than government procurement agencies.

(b) If the processor or repacker has no maximum price for sales f. o. b. factory to purchasers other than government procurement agencies, he shall apply to the Office of Price Administration, Washington, D. C., for a maximum price for sales to government procurement agencies in accordance with the rules established by the applicable supplement.

11. Section 2.13 is amended to read as follows:

*Sec. 2.13 Special packing expenses that may be reflected in maximum prices for sales to government procurement agencies.*

*Note:* This section is derived from, and for the purposes of the applicable supplement supersedes, Supplementary Order No. 106,<sup>5</sup> issued by the Office of Price Administration.

When this section applies to a supplement, it applies to all sellers covered by the supplement.

(a) *Conditions under which special packing expenses may be reflected in maximum prices.* Special packing expenses are a basis for increasing maximum prices for sales of goods ultimately destined for government procurement agencies if the following conditions are satisfied:

(1) The commodity must be packed in a manner, package or container that is different from and more expensive than standard packing, according to specifications of a government procurement agency.

(2) The seller must pack the goods for sale by himself and not for another on a custom or toll basis.

(b) *Maximum prices for sales that meet the conditions of paragraph (a).* For sales that meet the conditions of paragraph (a), the maximum prices of the seller shall be the maximum prices otherwise applicable, increased by the following amounts:

(1) The cost of packing according to the specifications of the government procurement agency minus the cost of standard packing, if the seller packs the commodity himself.

(2) The amount actually paid to another person for packing according to the specifications of the government procurement agency minus the cost of standard packing, if the seller does not pack the commodity himself.

<sup>5</sup>10 F.R. 2015.



(c) *Invoice and record-keeping requirements.* In cases where maximum prices are increased under paragraph (b) the seller shall:

(1) Show separately the amount of the increase in his contract of sale or on his invoice.

(2) In addition to the records otherwise specified by the applicable supplement, prepare and keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records showing the cost of standard packing and the cost of packing according to the specifications of the government procurement agency.

(d) *Computations of cost.* Costs must be figured, subject to review by the government procurement agency, according to the established accounting methods of the seller. Appropriate allowances shall be made for any materials salvaged in unpacking and repacking.

(e) *Meaning of "packing" and "standard packing."* "Packing" means the providing of wrappings, inner containers, or outer containers; the placing of commodities in such wrappings or containers; the application of any special coverings or coatings; and any unpacking and repacking necessary to conform to the specifications of the government procurement agency.

"Standard packing" means the most expensive packing the cost of which was included in figuring the maximum price established by the applicable supplement and any other type of packing expressly referred to and expressly priced in the applicable supplement.

12. Section 2.16 is amended to read as follows:

SEC. 2.16. *Maintenance of customary discounts and allowances.* When this section applies to a supplement, it applies to all sellers covered by the supplement.

No person shall change any customary allowance, discount or other price differential to a purchaser or class of purchasers, if the change results in a higher net price to that purchaser or class. However, in the case of sales to government procurement agencies figured under section 2.12 of Food Products Regulation No. 1, the seller is not required to give a discount either for prompt payment or for "brokerage".

Where the maximum prices for the product being priced are based generally on sales made during a base period (as named in the applicable supplement) in which the seller made sales of the same or similar products, the word "customary" refers to the seller's practices in effect prior to and during that period. Otherwise, it refers to the seller's practices in effect on the effective date of the applicable supplement.

13. Section 3.1 is amended to read as follows:

SEC. 3.1 *Restrictions on sales to primary distributors.* For sales of each kind of product produced in any calendar year, which are made after the effective

date of the applicable supplement, no processor shall sell to primary distributors a greater percentage (by dollar volume) than he sold to primary distributors during the one-year period ending April 28, 1942.

14. In section 3.10, the *Exception* is amended to read as follows:

*Exception:* This section does not apply to prices figured under section 2.4 of Food Products Regulation No. 1 (elective pricing method for processors).

15. Section 3.13 is amended in the following respects:

a. Paragraph (a) is amended by adding the following undesignated paragraphs:

If the commodity is one for which the applicable supplement also provides other adjustment provisions, the applicant may invoke any or all of them by submitting the information required by each. In these cases the relief granted shall be the greatest relief, permitted by any of those provisions or by this section, for which the applicant can qualify.

While any application for authorization of a maximum price or method of determining the applicant's maximum price is pending the applicant may file a written notice under Procedural Regulation 6 of his intention to seek such an adjustment if the maximum price subsequently established is less than the price named in the notice. When such a notice is filed, contracts, bids, payments and deliveries may be made on the basis of the named price, provided that the contract in each case stipulates that final settlement (including any necessary refunds) shall be made consistently with the maximum price as finally established. If the maximum price authorized is less than the amount to which it may be adjusted under this section, any adjustment granted under this section shall be retroactive to the filing of the notice, provided that the application for adjustment is filed within fifteen days of the receipt of the order upon which the maximum price is based.

b. The first undesignated paragraph of paragraph (d) is amended to read as follows:

(d) "Food product essential to the war program" means any food product purchased (1) for the ultimate use of the Army, Navy, the Maritime Commission, or the War Shipping Administration of the United States, or for the Lend-Lease Section of Procurement Division of the Treasury Department, or (2) by any government (or its agencies) of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or (3) for use in the production or manufacture of any such food product, provided that a certificate of the necessity of the procurement is received from the Chief of the particular procurement service named above. This certification should include the following information:

- (i) A description of the commodity.
- (ii) The quantities involved.
- (iii) A statement that no other adjustment provisions are available under the applicable supplement.

16. A note is added to section 3.15, to read as follows:

NOTE: An application for adjustment may be filed only if the applicable supplement contains a specific provision for granting an adjustment. This section is not such a provision.

This amendment shall become effective September 10, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 24, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-16464; Filed, Sept. 4, 1945;  
11:47 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,<sup>1</sup> Amdt. 24]

#### CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 13 (e) is added to read as follows:

(e) 1945 pack of "canned" fruits and vegetables. Each item of the 1945 pack of "canned" fruits and vegetables (Food Commodity Groups 10, 11, 33 and 34) shall be considered a different item from the 1944 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you before the date on which maximum prices are established by the Office of Price Administration for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16472; Filed, Sept. 4, 1945;  
11:49 a. m.]

<sup>1</sup> 10 F.R. 1496, 5037, 5369, 7251

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422, Amdt. 53]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 16. (h) is added to read as follows:

(h) 1945 pack of "canned" fruits and vegetables. Each item of the 1945 pack of "canned" fruits and vegetables (Food Commodity Groups 10, 11, 33 and 34) shall be considered a different item from the 1944 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you from a person other than a wholesaler pricing the item under Maximum Price Regulation No. 421, before the date on which maximum prices are established by the Office of Price Administration for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

That first delivery may be from a wholesaler (pricing under maximum Price Regulation No. 421), whose ceiling price for the item is figured on the basis of a delivery received by him before the date on which maximum prices are established by the Office of Price Administration for sales of the item by processors. In that event, and if you receive a later delivery of the item, you must refigure your ceiling price for such item; you must base your "net cost" upon the first delivery to you from your supplier after he has figured his ceiling price for the item on the basis of a delivery received by him after the date on which maximum prices are established by the Office of Price Administration for sales by processors of the 1945 pack of the item.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16473; Filed, Sept. 4, 1945;  
11:49 a. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 51]

CEILING PRICES OF CERTAIN FOODS SOLD AT  
RETAIL IN INDEPENDENT STORES DOING AN  
ANNUAL BUSINESS OF LESS THAN \$250,000.  
(GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amend-

\* 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9263, 9430.

\* 10 F.R. 1523, 2025, 2296, 3814, 5370, 5578, 6235, 6514, 8015, 8656, 9272, 9263, 9431.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 17 (g) is added to read as follows:

(g) 1945 pack of "canned" fruits and vegetables. Each item of the 1945 pack of "canned" fruits and vegetables (Food Commodity Groups 10, 11, 33 and 34) shall be considered a different item from the 1944 and earlier packs, and you shall figure a separate ceiling price for each item. You must figure your ceiling price for each such item in accordance with the provisions in sections 3, 4 and 5, basing your "net cost" on the first delivery to you of the item.

However, if that first delivery is received by you from a person other than a wholesaler pricing the item under Maximum Price Regulation No. 421, before the date on which maximum prices are established by the Office of Price Administration for sales of the item by processors, and another delivery is received by you after that date, you shall refigure your ceiling price for such item, basing your "net cost" on the first delivery of the item to you after that date.

That first delivery may be from a wholesaler (pricing under Maximum Price Regulation No. 421), whose ceiling price for the item is figured on the basis of a delivery received by him before the date on which maximum prices are established by the Office of Price Administration for sales of the item by processors. In that event, and if you receive a later delivery of the item, you must refigure your ceiling price for such item; you must base your "net cost" upon the first delivery to you from your supplier after he has figured his ceiling price for the item on the basis of a delivery received by him after the date on which maximum prices are established by the Office of Price Administration for sales by processors of the 1945 pack of the item.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16474; Filed, Sept. 4, 1945;  
11:50 a. m.]

PART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS

[RMFR 150, Amdt. 7]

## CANNED MEATS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 156 is amended in the following respects:

1. The definition of "sterile canned meat" set forth in paragraph (a) of section 7 is amended to read as follows:

"Sterile canned meat" means canned meat which has been commercially ster-

ilized and packed in a hermetically sealed container and needs no refrigeration while remaining in the sealed container: *Provided, That notwithstanding the provisions of this definition, sliced dried beef packed in hermetically sealed glass jars shall not be deemed "sterile canned meat" for pricing purposes under this regulation.*

2. Paragraph (a) of section 11 is amended to read as follows:

(a) *Ceiling prices of semi-sterile canned meat products given dollar-and-cents prices on deliveries to persons other than Group 1 and 2 retailers or purveyors of meals—(1) Semi-sterile canned meat products other than sliced dried beef packed in glass jars.* The ceiling price for a delivery, to a person other than a Group 1 and 2 retailer or a purveyor of meals, of a semi-sterile canned meat product which is not sliced dried beef packed in glass jars but which meets the specifications of any other product established by section 13 (b) shall be determined by:

(i) Adding to the base price specified for such product in section 12 (a) the zone addition specified in section 12 (b) for a carload delivery, or less-than-carload delivery, whichever is made, for the zone in which actual physical possession of the product is taken by the buyer, and then

(ii) Subtracting 25 cents per hundred-weight from the figure obtained by following subdivision (i) of section 11 (a) (1) above, if delivery of the product is not made to the buyer at the buyer's place of business.

(2) *Sliced dried beef in glass jars.* The ceiling price for a delivery, to a person other than a Group 1 and 2 retailer or a purveyor of meals, of sliced dried beef packed in glass jars and which meets the specifications established therefor by section 13 (b) shall be determined by:

(i) Adding to the base price specified for such product packed in the applicable size glass jar in section 12 (a) the appropriate zone addition provided in section 12 (b) for the glass jar size used and the type of delivery (carload or less-than-carload) made for the zone in which actual physical possession of the product is taken by the buyer, and then

(ii) Subtracting 25 cents per hundred-weight from the figure obtained by following subdivision (i) of section 11 (a) (2) above, if delivery of the product is not made to the buyer at the buyer's place of business.

3. Paragraph (a) of section 12 is amended to read as follows:

(a) *Table of base prices.* Except for sliced dried beef packed in glass jars, all prices are on a dollar per hundredweight net weight basis. Prices for sliced dried beef packed in glass jars are on a per dozen basis of the container size. Except on sales of canned whole hams to war procurement agencies for overseas shipment, all prices include packaging or boxing costs.

Item	Base price per cwt
(1) Canned whole ham:	
(i) pear shape, unsmoked (skinless)-----	\$44.50
(ii) pear shape, smoked (skinless)-----	44.50
(iii) Pullman, smoked (skinless)-----	44.50
(iv) Pullman, unsmoked (skinless)-----	44.50
(v) Polish style (with shank collar)-----	43.00
(2) Spiced luncheon meats:	
(i) 3 pound size-----	34.50
(ii) 6 pound size-----	33.00
(3) Spiced ham:	
(i) 3 pound size-----	36.00
(ii) 6 pound size-----	34.50
(4) Pressed ham, boneless, chopped, all sizes-----	36.00
(5) Pressed pork, boneless, chopped, all sizes-----	34.50
(6) Sliced dried beef in glass jars:	Base price per dozen
(i) 1½ ounce jars-----	\$0.94
(ii) 2 ounce jars-----	1.17
(iii) 2½ ounce jars-----	1.34
(iv) 3½ ounce jars-----	1.77
(v) 5 ounce jars-----	2.39
(vi) 7 ounce jars-----	3.14

4. Paragraph (b) of section 12 is amended to read as follows:

(b) *Tables of zone additions.* Except for sliced dried beef in glass jars, all zone additions are on a dollar per hundredweight net weight basis. Zone additions for sliced dried beef are on a per dozen container size basis and include allowances for tare.

(1) Zone additions per hundredweight for semi-sterile canned meat products other than sliced dried beef packed in glass jars:

Zone	Carload delivery	Less-than- carload delivery
1-----	\$0.48	\$0.72
2-----	0.90	1.20
3-----	1.20	1.62

(2) Zone additions per dozen of the applicable container size for sliced dried beef packed in glass jars:

Container size	Addition per dozen					
	Zone 1		Zone 2		Zone 3	
	Car-load	L. C.	Car-load	L. C.	Car-load	L. C.
1½ ounce-----	\$0.015	\$0.023	\$0.029	\$0.038	\$0.038	\$0.051
2 ounce-----	0.02	0.03	0.038	0.05	0.05	0.068
2½ ounce-----	0.022	0.033	0.040	0.055	0.055	0.074
3½ ounce-----	0.028	0.042	0.053	0.07	0.07	0.095
5 ounce-----	0.04	0.060	0.075	0.10	0.10	0.135
7 ounce-----	0.048	0.072	0.090	0.12	0.12	0.162

5. Subparagraph (8) of section 13 (b) is added to read as follows:

(8) "Sliced dried beef packed in glass jars" means slices of "extra dried beef" (defined in § 1364.452 (p) (7) (x) of Revised Maximum Price Regulation No. 156) made from cutter and canner grade beef rounds commercially packed and hermetically sealed in 1½ ounce, 2 ounce, 2½ ounce, 3½ ounce, 5 ounce and 7 ounce glass jars, and which needs no refrigeration while remaining in the sealed glass container.

This amendment shall become effective September 2, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

Approved: August 30, 1945.

J. B. HUTSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 45-16401; Filed, Aug. 31, 1945;  
4:16 p. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 550, Amdt. 5]

#### CURED AND SMOKED FISH

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 550 is amended in the following respects:

1. The table of contents is amended by adding the following new items:

#### ARTICLE XVI—SALES OF SMOKED BONELESS HERRING BY PRIMARY DISTRIBUTORS AND OTHER DISTRIBUTORS

- 16.1 Scope of this article
- 16.2 Classification of distributors
- 16.3 Maximum prices for sales by primary distributors
- 16.4 Maximum prices for sales by other distributors
- 16.5 Discounts
- 16.6 Taxes
- 16.7 Notification to wholesalers and retailers
- 16.8 Definitions
- 16.9 Cross-references

2. Section 1.2(c) is amended to read as follows:

(c) Maximum Price Regulations Nos. 421, 422 and 423 apply to sales by wholesalers and retailers, as defined in those regulations, except that Maximum Price Regulation No. 421 does not apply to sales by wholesalers of those varieties of cured and smoked fish for which maximum wholesalers' prices are fixed by Article XV of this regulation.

3. Section 1.9 (b) is amended to read as follows:

(b) *Distributors not specifically provided for in this regulation.* The maximum price for sales of cured or smoked fish covered by this regulation (except as otherwise provided in Article XVI for distributors' sales of smoked boneless herring), by any person, other than a processor, wholesaler or retailer, is his supplier's maximum price plus any applicable allowance provided by this regulation for transportation actually paid by him, not including local trucking, hauling or handling charges.

4. Article XVI is added to read as follows:

#### ARTICLE XVI—SALES OF SMOKED BONELESS HERRING BY PRIMARY DISTRIBUTORS AND OTHER DISTRIBUTORS

Sec. 16.1 *Scope of this article.* This article fixes maximum prices for sales

of smoked boneless herring by "distributors" other than wholesalers and retailers. Maximum prices are fixed for sales by "distributors" who are "primary distributors" and for sales by "other distributors". Sales by such "distributors" of smoked boneless herring in cellophane packages of a capacity of less than 5 ounces are not covered. The prices for such sales are governed by the General Maximum Price Regulation.

Sec. 16.2 *Classification of distributors—(a) Distributors.* A "distributor", for the purposes of this article, is one other than a wholesaler or retailer, who purchases all the smoked boneless herring he sells (for his own account).

(b) *Primary distributors.* A "primary distributor" is a "distributor" who (1) purchases smoked boneless herring in carload quantities;

(2) stores it in a warehouse not owned or controlled by any of his customers or by any of his suppliers;

(3) resells it from such warehouse in less than carload quantities and

(4) bought and sold smoked boneless herring in this manner before April 28, 1942.

If a "distributor" fails to meet one or more of the foregoing requirements with respect to any sale of smoked boneless herring he must price that sale as an "other distributor".

(c) *Other Distributors.* "Distributors" who are not "primary distributors" are "other distributors" under this article.

Sec. 16.3. *Maximum prices for sales by primary distributors.* (a) A "primary distributor's" maximum price for sales of smoked boneless herring is the appropriate price set forth below plus his actual transportation cost (excluding local trucking, hauling and handling charges). In no case may the added transportation cost exceed the applicable rail carload freight rate, published in tariffs lawfully on file with the Interstate Commerce Commission, from his supplier's shipping point to the receiving point of the "primary distributor".

Per pound  
(cents)

Smoked boneless herring in boxes  
packed to a net weight of 5 lb----- 22  
Smoked boneless herring in boxes  
packed to a net weight of 10 lb----- 21½

(b) The maximum price for sales of smoked boneless herring packed in any container not listed in paragraph (a) (except a cellophane container covered by section 16.1) shall be a price determined by the Office of Price Administration to be in line with the price established in paragraph (a). Such determination shall be made upon written request addressed to the Office of Price Administration, Washington, D. C., and accompanied by a statement showing costs and usual differentials.

Sec. 16.4 *Maximum prices for sales by "other distributors".* The maximum prices for sales of smoked boneless herring by a "distributor" other than a "primary distributor" is his supplier's maximum price for such smoked boneless herring plus incoming freight paid by such "other distributor". However, if

the "other distributor" purchases such smoked boneless herring from a wholesaler or a retailer, his maximum price is the net cost of that wholesaler or retailer (as the case may be) plus transportation (except local trucking, hauling or handling charges) paid by such "other distributor".

**SEC. 16.5 Discounts.** If a distributor covered by this article had a practice during March, 1942, of giving to different classes of purchasers allowances, discounts or other price differentials, he must continue such allowances, discounts or price differentials.

**SEC. 16.6 Taxes.** A distributor covered by this article, in addition to his maximum price, may collect any tax upon or incident to a sale at wholesale of any cured or smoked fish covered by this article if he states the tax separately and if the tax statute or ordinance does not prohibit sellers from stating and collecting the tax separately from the price.

**SEC. 16.7 Notification to wholesalers and retailers.** With the first delivery of smoked boneless herring, every "distributor" subject to the provisions of this article shall supply each wholesaler and retailer who purchases from him with a written notice as set forth below:

#### NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item) has been changed under the provisions of Maximum Price Regulation No. 550. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, and if we are your customary type of supplier, you must refigure your ceiling price for the item in accordance with the applicable pricing provisions of those regulations. (See section 6 in each case.) You must refigure your ceiling price on the first delivery of this item to you on and after (insert effective date of this amendment).

For a period of 90 days after the effective date of the provision changing the distributor's maximum price and with the first delivery after the 90-day period to each person who has not made a purchase within that time, the distributor shall include in each box, carton or case containing the item the written notice set forth above.

**SEC. 16.8 Definitions.** When used in this article the terms:

(a) "carload quantity" means any quantity of smoked boneless herring which equals or exceeds the carload minimum as specified for fish, smoked, dried, dry salted or preserved, in tariffs lawfully on file with the Interstate Commerce Commission.

(b) "Wholesaler" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, for distribution out of a warehouse to independent retail stores, or to commercial, industrial or institutional users.

(c) "Retailer" means a person the larger volume of whose food business is the purchase and resale of food products, without materially changing their form, to ultimate consumers other than commercial, industrial and institutional users.

**Sec. 16.9 Cross references.** (a) Article I contains general provisions applying to all sellers covered by this regulation. (b) Section 1.11 contains provisions with respect to the records and reports required of sellers covered by this regulation.

(c) "Smoked boneless herring" is defined in section 7.2.

This amendment shall become effective September 10, 1945.

Note: The record keeping and reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16476; Filed, Sept. 4, 1945;  
11:50 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [RMFR 395, Amdt. 7]

##### GROCERY COMMODITIES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 395 is amended in the following respects:

1. The word "retail" is deleted from the headnote of section 16.

2. Table III of section 16 is designated Table III a. and a new Table III b. is added to read as follows:

TABLE IIIb—MAXIMUM PRICES FOR CERTAIN GRAIN AND GRAIN PRODUCTS

Commodity	Quantity	At Wholesale St. Croix St. Thomas St. John	At retail St. Croix St. Thomas St. John
Packaged yellow cornmeal: Quaker.....	Quar- ter	\$2.05	Per unit \$3.14
			Per unit \$3.15

3. Table V in section 19 is amended to read as follows:

TABLE V—MAXIMUM RETAIL PRICES FOR CERTAIN EDIBLE FATS AND OILS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Lard and rendered pork fat:	Pound			
Prints.....	1	\$0.22	\$0.23	\$0.23
Tierces and cases.....	1	.21	.21	.23
Tins.....	1	.21	.21	.23

4. Table VI, "Maximum retail prices for soya bean oil, cottonseed oil, and corn oil," in section 18 is deleted.

5. Table VII in section 20 is amended to read as follows:

\* 10 F.R. 5941, 6940, 7789, 8363, 8393, 9227, 9925.

TABLE VII—MAXIMUM RETAIL PRICES FOR CERTAIN CANNED FISH AND FISH PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Pickled: Natural.....	8 oz.	\$0.65	\$0.65	\$0.65
	#1 tall.....	.13	.13	.14
	#1 oval.....	.15	.15	.16
	5 oz.....	.07	.07	.08
Tomato.....	5 oz.....	.07	.07	.08
	8 oz.....	.09	.09	.10
	#1 tall.....	.14	.14	.15
	#1 oval.....	.15	.15	.16
Tomato and olive oil	#1 can.....	.15	.15	.16

6. Table IX in section 22 is amended to read as follows:

TABLE IX—MAXIMUM RETAIL PRICES FOR CERTAIN MEATS OR MEAT PRODUCTS

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Frozen pork loin (com- bination).....	Pound	\$0.45	\$0.45	\$0.50
Frozen pork loin (bone in).....	1	.20	.20	.33
Smoked picnic ham.....	1	.41	.41	.44
Pigs feet, dry salted.....	1	.11	.11	.12
Pork, clear picnic, pickled.....	1	.20	.20	.22
Pork, fatback, pickled.....	1	.20	.20	.22
Pork, loin butt, pickled.....	1	.19	.19	.21
Frozen pork loin, regular.....	1	.42	.42	.44

7. Table X—"Maximum Retail Prices for Canned Vienna Sausage" in section 22 is deleted.

8. The item "Soap, toilet, Victory brand (Victoria)" is deleted from Table XI, section 23.

9. One item in Table XIII in section 25 is changed to read as follows:

TABLE XIII—MAXIMUM RETAIL PRICES FOR CERTAIN TYPES OF CHEESE

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
2. Processed Cheddar, braves weighing 5 lbs. and over.....	1 lb.	\$0.47	\$0.45	\$0.50

10. Table XIV in section 26 is amended to read as follows:

TABLE XIV—MAXIMUM RETAIL PRICES FOR DRY SALTED, SMOKED OR PICKLED FISH IN BULK

Commodity	Quantity	Island of St. Croix	Island of St. Thomas	Island of St. John
Dry salted or smoked fish, all varieties.....	Pound	\$0.19	\$0.19	\$0.20
Pickled herring fillets.....	1	.16	.16	.17
Pickled cod fillets.....	1	.22	.22	.23
Pickled salmon.....	1	.20	.20	.22
All other pickled fish (ex- cept those specified).....	1	.11	.11	.11

11. Table XV—"Maximum Retail Prices for Matches," in section 27, is deleted.

12. The footnotes to Table V, section 19; Table VI, section 19; Table VII, section 20; Table VIII, section 21; and Table IX, section 22, are hereby deleted.

This amendment shall become effective as of September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16470; Filed, Sept. 4, 1945;  
11:49 a. m.]

**PART 1418—TERRITORIES AND POSSESSIONS**  
[RMFR 395, Amdt. 8]

**CANNED SOUP IN VIRGIN ISLANDS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 49 (b), Table XXXIX, is amended by changing the word "Mushroom" under Heinz Soups to read "Cream of Mushroom," and by revising the maximum prices as follows:

**TABLE XXXIX—MAXIMUM PRICES FOR IMPORTED VARIETIES OF CANNED SOUPS**

Items and brand names	Unit	Price at whole-sale St. Croix St. Thomas	Retail price St. Croix St. Thomas	Retail price St. John
Heinz soups: Cream of Mushroom.	Case of 36 No. 1 tins...	\$7.20	Per unit \$0.23	Per unit \$0.24

This amendment shall become effective as of September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16471; Filed, Sept. 4, 1945;  
11:49 a. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[RMFR 165, Amdt. 3 to Supp. Service Reg. 47]

**RETAIL SHOE REPAIR SERVICES**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Service Regulation 47 is amended in the following respects:

Section 1499.680 is amended by adding a new paragraph as follows:

(i) *Specific prices on special services.* The maximum prices established by Revised Maximum Price Regulation 165 for the retail shoe repair services listed below are hereby modified as described below unless an applicable area order provides to the contrary. These maximum prices include all labor and materials necessary for the service, and apply to the 48 states of the United States and the District of Columbia. Lower prices than those established by this regulation may be charged.

<sup>1</sup> 10 F.R. 5941, 6946, 7799, 8069, 8999, 9227, 9925.

(1) Attaching neolite half-soles manufactured by the Goodyear Tire and Rubber Company to dress or work shoes:

A seller's correctly filed maximum prices under RMFR 165 for attaching Semi-Fine leather half soles to dress or work shoes, plus the following additions:

Per pair	
Men's shoes and Boys' shoes larger than size 3½	\$0.10
Boys' shoes size 3½ or smaller	.05
Women's, Girls' and Children's shoes	.05

(2) Attaching brown composition, rubber, or fiber full soles or half-soles to dress or work shoes:

A seller's correctly filed maximum prices under RMFR 165 for attaching comparable black composition, rubber, or fiber full soles or half-soles to dress shoes, plus 15¢ per pair.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16468; Filed, Sept. 4, 1945;  
11:48 a. m.]

**PART 1421—IRON AND STEEL FOUNDRY PRODUCTS**

[MPR 214, Amdt. 2]

**HIGH ALLOY CASTINGS**

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

**TABLE II—SHORT ORDER BASE PRICE SCHEDULE FOR CORROSION-RESISTANT CASTINGS**

Weight each casting	Total weight of castings ordered				
	4 pounds or less	Over 4 pounds but not over 9 pounds	Over 9 pounds but not over 24 pounds	Over 24 pounds but not over 49 pounds	Over 49 pounds but not over 75 pounds
3 pounds and less	Per pound \$3.36	Per pound \$2.24	Per pound \$1.68	Per pound \$1.40	Per pound \$1.20
Over 3 pounds but not over 5 pounds	3.18	2.12	1.60	1.33	1.19
Over 5 pounds but not over 9 pounds		1.90	1.43	1.19	1.07
Over 9 pounds but not over 14 pounds			1.26	1.06	.96
Over 14 pounds but not over 24 pounds			1.19	.99	.89
Over 24 pounds but not over 49 pounds				.91	.83
Over 49 pounds but not over 75 pounds					.77

(ii) *Machining.* Where the rough casting is machined before delivery to the purchaser, there may be added an amount therefor not in excess of the applicable amount determined pursuant to paragraph (b) of Appendix C (§ 1421.17);

(iii) *Extras.* There may be added such of the extras set forth in paragraph (a) of Appendix C (§ 1421.17) as are applicable;

(iv) *Discounts for early payment.* There shall be deducted one-half of one per cent for payment within 10 days from receipt of the invoice by the purchaser;

(v) *Freight.* Adjustment shall be made for freight as follows: the lowest applicable railroad charges at rates in effect at the time of shipment may be

added and where the purchaser specifies means of transportation costing in excess of the lowest applicable rail charges at rates in effect at the time of shipment, the full costs of such freight may be added;

(d) *Optional method for determining maximum delivered prices of high alloy castings sold pursuant to short orders.* (1) Notwithstanding any provision to the contrary contained in paragraphs (a) to (c), inclusive, of this section, maximum delivered prices for high alloy castings sold pursuant to a "short order", as defined in the following subparagraph (2), may, instead of being priced under paragraphs (a) to (c), inclusive, which ever may be applicable, be computed as follows:

(i) The applicable base price for the rough casting shall be determined in accordance with the applicable base price schedule set forth below and the quantity and alloy and carbon content differentials set forth in Appendix B (§ 1421.16).

**TABLE I—SHORT ORDER BASE SCHEDULE FOR HEAT-RESISTANT CASTINGS**

Weight each casting	Total weight of castings ordered			
	5 pounds or less	Over 5 pounds but not over 20 pounds	Over 20 pounds but not over 50 pounds	Over 50 pounds but not over 75 pounds
5 pounds and less	Per lb. \$3.30	Per lb. \$2.20	Per lb. \$1.65	Per lb. \$1.38
Over 5 pounds but not over 20 pounds		1.76	1.32	1.10
Over 20 pounds but not over 50 pounds			1.16	.99
Over 50 pounds but not over 75 pounds				.89

added and where the purchaser specifies means of transportation costing in excess of the lowest applicable rail charges at rates in effect at the time of shipment, the full costs of such freight may be added;

(2) The term "short order" means an order for the purchase of a high alloy casting where the shipping weight of the casting multiplied by the quantity ordered does not exceed 75 pounds: *Provided, That*

(i) If the casting is produced or is to be produced on a production run where by the 75 pound limitation is exceeded or will be exceeded, the order shall not be deemed a short order,

(ii) Orders shall not be split into small quantities for the purpose of classification as short orders, and



(iii) If an order is received for a number of different patterns of high-alloy castings, the order shall be deemed a short order with respect to each pattern for which the requirements hereinbefore specified are met.

(3) This paragraph (d) establishing maximum prices for short orders shall not apply to chrome iron abrasion-resistant castings.

This amendment shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16469; Filed, Sept. 4, 1945;  
11:48 a. m.]

PART 1426—WOOD PRESERVATION AND  
PRIMARY FOREST PRODUCTS  
[MPR 558; Amdt. 2]

EASTERN WOODEN MINE MATERIALS AND  
INDUSTRIAL BLOCKING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 558 is hereby amended in the following respects:

1. Section 2 (a) is amended to read as follows:

(a) This regulation covers all sales and purchases of wooden mine materials and industrial blocking produced in, or imported from Canada or Mexico into, that part of the United States east of a line approximating the 100th Meridian except North Dakota and South Dakota. Mine car lumber, mine shaft guides and brattice boards are not covered, but are subject to the appropriate lumber price regulations. Production zones are defined in the heading of each price table in section 14.

2. Section 2 (b) (1) is amended to read as follows:

(1) "Wooden mine materials" means any ties, switch ties, cross bars, cribbing, lagging, post caps, wedges or pit posts used in mines; and also includes all mine lumber and timbers used in underground mining, except the items excluded in paragraph (a) above.

3. Section 4 (b) (1) is hereby amended to read as follows:

(b) *Private trucks.* (i) When shipment is by private truck owned or controlled by the seller, except in the case of pit posts, props and split or round lagging, the maximum permissible addition (on hauls involving any point outside a metropolitan area) shall be computed as follows:

(i) Distances from point of production to buyer's unloading point; less

(ii) Distance from production point to normal loading out point of shipper; equals

(iii) Total distance for which shipper may charge. (i-ii)

When total mileage for which shipper may charge has been arrived at as indicated above, the maximum charge for the net total distance (item iii) shall be computed as follows:

NET TOTAL DISTANCE OF 50 MILES OR LESS

Distance	Maximum price per 100 pounds
10 miles or less	\$0.05
More than 10 miles, not more than 20 miles	0.07
More than 20 miles, not more than 30 miles	0.63
For each mile over 30, but not more than 50 miles, add to the 30 mile charge	0.002

NET TOTAL DISTANCE OF MORE THAN 50 MILES

Multiply the estimated weights in the tables, of the material shipped, by the carload freight rate applicable on the railroad serving the buyer for a haul on that railroad to the buyer's unloading point from a point on such railroad equal to the trucking distance from the seller's normal loading out point to the buyer's unloading point.

No additions may be made for private truck shipments of pit posts, props and split or round lagging, regardless of the length of the haul.

4. In section 8 paragraph (a) is amended to read as follows:

(a) *Exports.* The maximum prices for export sales of Eastern wooden mine materials and industrial blocking are governed by Second Revised Maximum Export Price Regulation.

Maximum prices for pit posts, props, and split or round lagging, regardless of the zone of production, when delivered f. o. b. cars port at Atlantic or Gulf coast ports, shall be the maximum prices in Table 2 when delivery is made to the port of Baltimore, Maryland and to all ports north of Baltimore, and shall be the maximum prices in Table 3 when delivery is made to all ports south of Baltimore, Maryland.

5. In section 14, Tables 1 (B), 2 (A), 3 (B), 4 (A), 5 (D) are amended, and new tables 1 (D), 2 (C), 3 (D), 4 (C) and 5 (F) are added, to read as follows:

TABLE 1 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 1

F. O. D. LOADING-OUT POINTS

	Per M <sup>3</sup> BM		
	Price	Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods): all sizes	\$20.00	5,400	3,000
Cross bars (mixed oak and hardwoods): All sizes up to and including 6" x 7"	20.00	5,400	3,000
All sizes over 6" x 7"	32.00	5,400	3,000
For specified lengths 15' and longer, add	3.00		
Short mine material (mixed oak and hardwoods): Post caps (headers) all sizes	20.00	5,400	3,000
Sawn cribbing blocks (lagging) all sizes	20.00	5,400	3,000
All other mine lumber and timbers (mixed hardwoods): All sizes and lengths	20.00	5,400	3,000

TABLE 1 (D)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 1

F. O. D. LOADING-OUT POINTS

	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
6" x 11" x 4" x 11"	\$20.00	1,800	1,320
6" x 1" x 6" x 14"	20.00	1,000	1,420
10" x 3" x 1" x 4"	8.00	700	700
10" x 1" x 1" x 4"	8.00	150	710
10" x 1" x 4" x 12"	14.40	1,200	800
10" x 1" x 5" x 12"	18.00	1,500	1,110
10" x 1" x 5" x 12"	22.00	2,100	1,520
10" x 1" x 4" x 12"	14.40	1,200	800
10" x 1" x 5" x 12"	18.00	1,500	1,210
10" x 1" x 4" x 14"	16.80	1,500	1,120
10" x 1" x 6" x 14"	22.00	2,200	1,700
10" x 1" x 4" x 12"	16.00	1,500	1,120
10" x 1" x 5" x 12"	21.00	1,600	1,420
10" x 2" x 5" x 12"	23.00	2,800	2,000
10" x 5" x 5" x 15"	41.00	5,000	4,200

TABLE 2 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 2

F. O. D. LOADING-OUT POINTS

	Per M <sup>3</sup> BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods) all sizes	\$20.00	5,400	3,000
Cross bars (collars) (mixed oak and hardwoods): All sizes up to and including 6" x 7"	20.00	5,400	3,000
All sizes over 6" x 7"	32.00	5,400	3,000
For specified lengths 15' and longer, add	3.00		
Short mine material (mixed oak and hardwoods): Post caps (headers) all sizes	20.00	5,400	3,000
Sawn cribbing blocks (lagging) all sizes	20.00	5,400	3,000
All other mine lumber and timbers (mixed hardwoods) all sizes and lengths	20.00	5,400	3,000

TABLE 2 (C)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 2

F. O. D. LOADING-OUT POINTS

	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
6" x 11" x 4" x 11"	\$20.00	1,800	1,320
6" x 1" x 6" x 14"	20.00	1,000	1,420
10" x 3" x 1" x 4"	8.00	700	700
10" x 1" x 1" x 4"	8.00	150	710
10" x 1" x 4" x 12"	14.40	1,200	800
10" x 1" x 5" x 12"	18.00	1,500	1,110
10" x 1" x 5" x 12"	22.00	2,100	1,520
10" x 1" x 4" x 12"	14.40	1,200	800
10" x 1" x 5" x 12"	18.00	1,500	1,210
10" x 1" x 4" x 14"	16.80	1,500	1,120
10" x 1" x 6" x 14"	22.00	2,200	1,700
10" x 1" x 4" x 12"	16.00	1,500	1,120
10" x 1" x 5" x 12"	21.00	1,600	1,420
10" x 2" x 5" x 12"	23.00	2,800	2,000
10" x 5" x 5" x 15"	41.00	5,000	4,200

TABLE 3 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 3

F. O. B. LOADING-OUT POINTS

	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties (mixed oak and hardwoods): All sizes.....	\$29.00	5,400	3,900
Cross bars (collars) (mixed oak and hardwoods): All sizes up to and including 6" x 7".....	29.00	5,400	3,900
All sizes over 6" x 7".....	31.00	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Short mine materials (mixed oak and hardwoods): Post caps (headers) all sizes.....	29.00	5,400	3,900
Cribbing (sawn lagging) all sizes.....	29.00	5,400	3,900
All other mine lumber and timbers (mixed hardwoods)—All sizes and lengths.....	29.00	5,400	3,900

TABLE 3 (D)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 3

F. O. B. LOADING-OUT POINTS

	Per 1,000 wedges		
	Price	Weight*	
		Green	Dry
1 1/2" x 1 1/2" x 4" x 12"	\$10.00	1,350	970
1 1/2" x 1 1/2" x 5" x 12"	12.50	1,680	1,220
1 1/2" x 1 1/2" x 6" x 12"	15.00	2,020	1,460
1 1/2" x 1 1/2" x 8" x 12"	18.00	1,460	1,050
1 1/2" x 1 1/2" x 10" x 12"	20.00	1,830	1,320
1 1/2" x 1 1/2" x 12" x 12"	22.50	2,190	1,580
1 1/2" x 1 1/2" x 14" x 12"	24.00	1,960	1,420
1 1/2" x 1 1/2" x 16" x 12"	25.50	2,360	1,700
1 1/2" x 1 1/2" x 18" x 12"	27.00	2,130	1,540
1 1/2" x 1 1/2" x 20" x 12"	28.50	2,560	1,840
1 1/2" x 1 1/2" x 22" x 12"	30.00	1,460	1,050
1 1/2" x 1 1/2" x 24" x 12"	31.50	1,820	1,320
1 1/2" x 1 1/2" x 26" x 12"	33.00	2,190	1,580
1 1/2" x 1 1/2" x 28" x 12"	34.50	1,670	1,130
1 1/2" x 1 1/2" x 30" x 12"	36.00	2,060	1,420
1 1/2" x 1 1/2" x 32" x 12"	37.50	2,390	1,700
1 1/2" x 1 1/2" x 34" x 12"	39.00	2,130	1,540
1 1/2" x 1 1/2" x 36" x 12"	40.50	2,560	1,840
1 1/2" x 1 1/2" x 38" x 12"	42.00	2,290	1,650
1 1/2" x 1 1/2" x 40" x 12"	43.50	2,750	1,990

## TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

## Chapter I—Veterans' Administration

## PART 35—VETERANS' REGULATIONS

LINE OF DUTY; WILLFUL MISCONDUCT;  
VENEREAL DISEASE CASES

1. It is provided in Public No. 439, 78th Congress, that disability resulting from venereal disease incurred during active service shall not be presumed to be due to willful misconduct if the serviceman complied with the Army or Navy regulations requiring him to report and receive treatment for such disease.

2. Accordingly, there are three requirements, all of which must be met, for a finding of service incurrence in line of duty and rebuttal of the presumption of willful misconduct in venereal disease cases not shown to have been innocently acquired during service:

(a) The initial infection must have been incurred in active service in line of duty.

(b) The person must have reported promptly to proper authority the earliest manifestation of the venereal disease, and

(c) The person must have submitted to the treatment prescribed and continued such treatment until the approved conclusion thereof.

An affirmative determination as to each of the three foregoing requirements of law will be necessary for findings of service incurrence in line of duty and rebuttal of the presumption of willful misconduct. If any one of the three requirements is not met, a finding of service incurrence in line of duty and rebuttal of the presumption of willful misconduct may not be made for the purpose of Public No. 439, 78th Congress.

3. Where the reports furnished by the service department, together with all other evidence of record, considered in accordance with accepted medical principles, are adequate for adjudication in conformity with the foregoing, it will not be necessary to secure additional information from the service department. If the available service record is found incomplete and insufficient for adjudicative action, additional information may be requested from the service department on Form 3101 series. Where found indicated, the syphilitic register or a photostatic copy should be obtained. Where found indicated, inquiry should be made of the service department as to whether or not the serviceman was subjected to disciplinary action for failure to report the incurrence of venereal disease during service or to accept treatment therefor.

(58 Stat. 752)

[SEAL]

OMAR N. BRADLEY,  
General, U. S. Army,  
Administrator of Veterans' Affairs.

AUGUST 29, 1945.

[F. R. Doc. 45-16452; Filed, Sept. 4, 1945;  
11:25 a. m.]

## TITLE 46—SHIPPING

## Chapter I—Coast Guard: Inspection and Navigation

## MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R. S. 4405, 4417, 4417a, 4418, 4425, 4481, 4488, and 4491, as amended, 35 Stat. 428, 49 Stat. 1544, 55 Stat. 244, as amended (46 U.S.C. 375, 391, 391a, 392, 404, 474, 481, 489, 395, 396, 367, 50 U.S.C. Sup. IV, 1275), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

## Subchapter D—Tank Vessels

## PART 30—GENERAL PROVISIONS

Section 30.3 is amended by changing paragraphs (j) and (u) to read as follows:

## § 30.3 Definition of terms. \* \* \*

(j) *Existing tank vessel.* An "existing tank vessel" is any tank vessel the construction of which was started prior to November 10, 1936, and shall include any vessel the conversion of which into a tank vessel was started prior to November 10, 1936. Tank barges the hulls of which are of materials other than iron or steel for which the plans and specifications for construction or conversion were approved by the Coast Guard prior to September 2, 1945, upon which actual work of construction or conversion was commenced prior to September 2, 1945, and which are issued a certificate of inspection prior to March 2, 1946, as tank barges shall also be considered as existing tank vessels.

(u) *New tank vessels.* The term "new tank vessels" means any tank vessel the construction of which is started on or after November 10, 1936, and shall include any vessel the conversion of which into a tank vessel is started on or after November 10, 1936, except as provided in paragraph (j) of this section.

## PART 32—REQUIREMENTS FOR HULLS, MACHINERY AND EQUIPMENT: ELECTRICAL INSTALLATIONS

Part 32 is amended by the addition of a new § 32.6-6 reading as follows:

§ 32.6-6 *Electrical installation; applicable during the Unlimited National Emergency—TB/ALL.* For vessels the contract for the construction of which was signed prior to September 2, 1945, the specification covering electrical installations titled "United States Coast Guard, Merchant Marine Inspection, Specification for Electrical Installations on Merchant Vessels," dated August 31, 1944, revised March 6, 1945,<sup>1</sup> is, during the Unlimited National Emergency, applicable as alternative provisions to those contained in the foregoing parts of §§ 32.6-1 to 32.6-5, inclusive.

<sup>1</sup> A copy of the specifications is on file in the office of the Federal Register, and copies may be obtained upon request from the Commandant (EMMI), United States Coast Guard Headquarters, Washington 25, D. C., or any District Coast Guard Officer.

## PART 33—LIFESAVING APPLIANCES: EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

1. Section 33.3-1 is amended by changing paragraphs (u) and (aa) to read as follows, and by adding paragraphs (bb) and (cc):

§ 33.3-1 *Tank: ship lifeboat equipment; ocean and coastwise—T/OC.* \* \* \*

(u) *Provisions.* Two pounds of provisions for each person consisting of hard bread or its equivalent in any approved emergency ration of cereal or vegetable compound packaged in hermetically sealed containers of an approved type and stowed in provision lockers or other compartments providing suitable protection. No meat or other ration requiring saline preservative shall be allowed.

(aa) *Drinking water.* For each person at least 1 quart of drinking water contained in hermetically sealed cans of an approved type and stowed in the drinking water tanks, lockers, or other compartments providing suitable protection.

(bb) *Daytime distress signals.* Four self-contained smoke signals of an approved type.

(cc) *Signaling mirrors.* Two signaling mirrors of an approved type.

2. Section 33.3-5 is amended by changing paragraphs (h) and (m) to read as follows and by adding paragraphs (n) and (o):

§ 33.3-5 *Tank: ships; life raft equipment, ocean, coastwise—T/OC.* \* \* \*

(h) *Provisions.* Two pounds of provisions for each person consisting of hard bread or its equivalent in any approved emergency ration of cereal or vegetable compound packaged in hermetically sealed containers of an approved type and stowed in provision lockers or other compartments providing suitable protection. No meat or other ration requiring saline preservative shall be allowed.

(m) *Drinking water.* For each person at least 1 quart of drinking water contained in hermetically sealed cans of an approved type and stowed in the drinking water tanks, lockers, or other compartments providing suitable protection.

(n) *Daytime distress signals.* Four self-contained smoke signals of an approved type.

(o) *Signaling mirrors.* Two signaling mirrors of an approved type.

## PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES: LIFEBOATS, LIFE RAFTS, BUOYANT APPARATUS, AND DAVITS

Section 37.1-4 (g) is amended by changing the heading of the table therein to read as follows:

§ 37.1-4 *Lifeboat davits—TB/ALL.* \* \* \*

(g) \* \* \*  
(In substantial agreement with A. S. T. M. Spec. A-131-39 and A-7-42)

2. Section 37.1-6 is amended by changing the sixth undesignated paragraph to read as follows:

§ 37.1-6 *Blocks and falls*—TB/ALL.

All ocean and coastwise vessels and all other vessels of over 1,000 gross tons, not fitted with mechanical means for lowering, shall be provided with covered tubs, boxes or reels for stowage of falls and with suitable lowering bitts in easily accessible positions; except that all ocean and coastwise self-propelled vessels of over 1,000 gross tons, not fitted with mechanical means for lowering, for which contracts for construction are let on or after September 2, 1945, shall be fitted with cruciform bitts in such position as will render lowering practicable.

3. Section 37.1-7 is amended to read as follows:

§ 37.1-7 *Disengaging apparatus*. Lifeboats shall be fitted with suitable disengaging apparatus. Mechanical disengaging apparatus shall be of a type approved by the Commandant. Not more than one type of releasing gear shall be fitted in the lifeboats of a particular vessel.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 59—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (OCEAN)

1. Section 59.3 (m) is amended by changing the heading of the table therein to read as follows:

§ 59.3 *Strength and operation of davits*. \* \* \*

(In substantial agreement with A. S. T. M. Spec. A-131-39 and A-7-42.)

2. Section 59.10 (j) is amended to read as follows:

§ 59.10 *Lifeboats and their equipment required on inspected seagoing barges of 100 gross tons or over*. \* \* \*

(j) *Drinking water*. For each person at least 1 quart of drinking water contained in hermetically sealed cans of an approved type and stowed in the drinking water tanks, lockers, or other compartments providing suitable protection.

3. Section 59.11 is amended by changing paragraphs (w) and (bb) to read as follows and by the addition of two new paragraphs (cc) and (dd):

§ 59.11 *Lifeboat equipment*. \* \* \*

(w) *Provisions*. (1) Two pounds of provisions for each person consisting of hard bread or its equivalent in any approved emergency ration of cereal or vegetable compound packaged in hermetically sealed containers of an approved type and stowed in provision lockers or other compartments providing suitable protection. No meat or other ration requiring saline preservative shall be allowed.

(2) Passenger ships engaged in international voyages shall carry in each lifeboat one pound of condensed milk for each person the lifeboat is certified to carry. If the vessel is operated in the North Atlantic, north of 35° North Latitude, only one-half the quantity of condensed milk is required.

(bb) *Drinking water*. For each person at least 1 quart of drinking water con-

tained in hermetically sealed cans of an approved type and stowed in the drinking water tanks, lockers, or other compartments providing suitable protection.

§ 59.11 *Lifeboat equipment*. \* \* \*  
(cc) *Daytime distress signals*. Four self-contained smoke signals of an approved type.

(dd) *Signaling mirrors*. Two signaling mirrors of an approved type.

4. Section 59.37 is amended by changing the sixth undesignated paragraph to read as follows:

§ 59.37 *Blocks and falls*. \* \* \*

All ocean and coastwise vessels and all other vessels of over 1,000 gross tons, not fitted with mechanical means for lowering, shall be provided with covered tubs, boxes or reels for stowage of falls and with suitable lowering bitts in easily accessible positions; except that all ocean and coastwise self-propelled vessels of over 1,000 gross tons, not fitted with mechanical means for lowering, for which contracts for construction are let on or after September 2, 1945, shall be fitted with cruciform bitts in such position as will render lowering practicable.

5. Section 59.52 is amended by changing paragraphs (g) and (l) to read as follows, and by adding paragraphs (n) and (o).

§ 59.52 *Equipment for life rafts*. \* \* \*

(g) *Provisions*. (1) Two pounds of provisions for each person consisting of hard bread or its equivalent in any approved emergency ration of cereal or vegetable compound packaged in hermetically sealed containers of an approved type and stowed in provision lockers or other compartments providing suitable protection. No meat or other ration requiring saline preservative shall be allowed.

(2) Passenger ships engaged in international voyages shall carry in each lifeboat one pound of condensed milk for each person the lifeboat is certified to carry. If the vessel is operated in the North Atlantic, north of 35° North Latitude, only one-half the quantity of condensed milk is required.

(1) *Drinking water*. For each person at least 1 quart of drinking water contained in hermetically sealed cans of an approved type and stowed in the drinking water tanks, lockers, or other compartments providing suitable protection.

(n) *Daytime distress signals*. Four self-contained smoke signals of an approved type.

(o) *Signaling mirrors*. Two signaling mirrors of an approved type.

6. Section 59.68 is amended to read as follows:

§ 59.68 *Disengaging apparatus*. Lifeboats shall be fitted with suitable disengaging apparatus. Mechanical disengaging apparatus shall be of a type approved by the Commandant. Excluding the emergency boats, not more than one type of releasing gear shall be fitted in the lifeboats of a particular vessel.

PART 60—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES (COASTWISE)

1. Section 60.8 (j) is amended to read as follows:

§ 60.8 *Lifeboats and their equipment required on inspected seagoing barges of 100 gross tons or over*. (See § 59.10 (j) of this chapter, as amended, which is identical with this section.)

2. Section 60.9 is amended by changing paragraphs (w) and (bb) and by the addition of two new paragraphs (cc) and (dd) reading as follows:

§ 60.9 *Lifeboat equipment*. (See § 59.11 of this chapter, as amended, which is identical with this section.)

3. Section 60.19 is amended by changing the sixth undesignated paragraph to read as follows:

§ 60.19 *Blocks and falls*. (See § 59.37 of this chapter, as amended, which is identical with this section.)

4. Section 60.21 is amended in the tenth undesignated paragraph by changing the heading of the table therein to read as follows:

§ 60.21 *How lifeboats shall be carried; davits and cranes required*. \* \* \*

(In substantial agreement with A. S. T. M. Spec. A-131-39 and A-7-42)

PART 63—INSPECTION OF VESSELS

1. Part 63 is amended by the addition of a new § 63.2a immediately following § 63.2 reading as follows:

§ 63.2a *Vessels acquired or documented under the act of June 6, 1941*. (a) Vessels acquired or documented under the act of June 6, 1941, shall be subject to the applicable provisions of Title 52 of the Revised Statutes, acts amendatory thereof or supplemental thereto and the rules and regulations thereunder.

(b) Unapproved lifesaving, firefighting and other equipment may be continued in service as long as, in the opinion of the Officer in Charge, Marine Inspection, such equipment is in good and serviceable condition. All replacements shall be in accordance with Coast Guard requirements.

(c) Certificates of inspection shall be issued to such vessels on Form 841 by amending the certifying clause and the addition of the following wording: "as applied to vessels documented under the act of June 6, 1941," so that the certifying clause reads as follows:

I further certify that the said vessel at the date hereof is, in all things, in conformity with the laws governing the Coast Guard and the rules and regulations of the Commandant, as applied to vessels documented under the act of June 6, 1941.

2. Section 63.9 is amended by the addition of a new paragraph to follow immediately after the thirteenth undesignated paragraph reading as follows:

§ 63.9 *Electrical installations*. \* \* \*

For vessels the contract for the construction of which was signed prior to September 2, 1945, the specification covering electrical installations titled "United States Coast Guard, Merchant Marine Inspection, Specification for Electrical Installations on Merchant Vessels," dated August 31, 1944, revised

March 6, 1945,<sup>1</sup> is, during the Unlimited National Emergency, applicable as alternative provisions to those contained in the foregoing parts of this section.

Subchapter H—Great Lakes: General Rules and Regulations

PART 76—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

1. Section 76.15 is amended in the tenth undesignated paragraph by changing the heading of the table therein to read as follows:

§ 76.15 *How lifeboats shall be carried; davits and cranes required.* \* \* \*

(In substantial agreement with A. S. T. M. Spec. A-131-39 and A-7-42.)

2. Section 76.24 is amended to read as follows:

§ 76.24 *Boat-davit falls and receptacles therefor.* Blocks and falls installed after January 1, 1942, shall conform to the following requirements:

All blocks, falls, fairleads, padeyes, fastenings, etc., used in connection with lifeboat gear shall be designed with a minimum factor of safety of 6, based on the maximum working load.

Where mechanical means for lowering are required, not more than two-part falls shall be used, except in specific cases where three-part falls may be accepted.

Wire rope falls of 6 x 19 regular lay filler wire construction, prelubricated at the factory with suitable neutral wire rope lubricant, shall be accepted as standard. Any other type of wire superior or equally as good as the minimum standard specified may be used.

Falls shall be of such length that the lifeboat may be lowered to the water at the lightest seagoing draft with the vessel listed to 15°.

Falls shall be in readiness for use at all times. On vessels over 1,000 gross tons, not fitted with mechanical means for lowering, covered tubs, boxes, or reels shall be provided for the stowage of falls, and suitable lowering bitts shall be fitted in easily accessible positions.

Where more than one lifeboat is served by the same set of davits, if the falls are of manila rope, separate falls shall be provided to serve each lifeboat.

Such blocks as are necessary to allow the falls to lead fair in all positions of the davit shall be fitted. Where mechanical means for lowering are provided, there shall be at least 8 feet between the center of the drum and the center of the nearest sheave. Sheaves for wire rope shall have a diameter at the base of the groove at least equal to 12 times the diameter of the rope.

There shall be ample clearance between the cheeks of blocks in which manila rope is used. The width between the cheeks shall be half an inch greater than the diameter of new ropes when those ropes are 3¾ inches in circumference or greater; blocks for smaller

ropes shall be designed with clearance in the same proportion.

Means for lubrication shall be provided for all moving parts of blocks.

3. Section 76.62 is amended to read as follows:

§ 76.62 *Disengaging apparatus.* (See § 59.68 of this chapter, which is identical with this section.)

PART 79—INSPECTION OF VESSELS

Section 79.9 is amended by the addition of a new paragraph to follow immediately after the thirteenth undesignated paragraph reading as follows:

§ 79.9 *Electrical installations.* (See § 63.9 of this chapter, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 94—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

1. Section 94.14 is amended in the tenth undesignated paragraph by changing the heading of the table therein to read as follows: "(In substantial agreement with A. S. T. M. Spec. A-131-39 and A-7-42)".

2. Section 94.23 is amended to read as follows:

§ 94.23 *Boat-davit falls and receptacles therefor.* (See § 76.24 of this chapter, which is identical with this section.)

3. Section 94.59 is amended to read as follows:

§ 94.59 *Disengaging apparatus.* (See § 59.68 of this chapter, which is identical with this section.)

PART 97—INSPECTION OF VESSELS

Section 97.11 is amended by the addition of a new paragraph to follow immediately after the thirteenth undesignated paragraph reading as follows:

§ 97.11 *Electrical installations.* (See § 63.9 of this chapter, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.23 is amended in the tenth undesignated paragraph by changing the heading of the table therein to read as follows:

§ 113.23 *How lifeboats shall be carried; davits and cranes required.* (See § 94.14 of this chapter, which is identical with this section.)

PART 116—INSPECTION OF VESSELS

Section 116.16 is amended by the addition of a new paragraph to follow immediately after the thirteenth undesignated paragraph reading as follows:

§ 116.16 *Electrical installations.* (See § 63.9 of this chapter, which is identical with this section.)

Dated: September 2, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-16448; Filed, Sept. 4, 1945; 10:47 a. m.]

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R. S. 4405, 4417, 4417a, 4418, 4426, 4433, 4438, 4439, 4440, 4441, 4442, 4462, 4463, 4481, 4488 and 4491, as amended, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 163-167, 55 Stat. 244, as amended (46 U.S.C. 375, 391, 391a, 392, 404, 411, 224, 226, 228, 229, 214, 416, 222, 474, 491, 489, 395, 396, 397, 367, 526-526t, 50 U.S.C. Sup. IV, 1275), and Executive Order 9033, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

PART 150—INSPECTION AND CERTIFICATION OF VESSELS DOCUMENTED UNDER ACT OF JUNE 6, 1941

Part 150 is rescinded.

PART 151—MARINE ENGINEERING, MATERIALS; REGULATIONS DURING EMERGENCY

Part 151 is rescinded.

PART 152—MARINE ENGINEERING; REGULATIONS DURING EMERGENCY

Part 152 is rescinded.

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

Part 153 is rescinded.

PART 155—LICENSED OFFICERS AND CERTIFICATED MEN; REGULATIONS DURING EMERGENCY

Part 155 is rescinded effective January 2, 1946.

PART 156—INSPECTION AND CERTIFICATION

Part 156 is rescinded.

PART 159—STORAGE OF HIGH EXPLOSIVES ON TANK VESSELS; REGULATIONS DURING EMERGENCY

Part 159 is rescinded.

PART 160—HULL CONSTRUCTION, ALTERATIONS

Part 160 is rescinded.

PART 161—DECK OFFICERS, PROFICIENCY IN COMMUNICATIONS

Part 161 is rescinded.

Dated: September 2, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-16447; Filed, Sept. 4, 1945; 10:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 502—DIRECTION OF TRAFFIC MOVEMENT

CROSS REFERENCE: For an exception to the provisions of §§ 502.203 to 502.210, inclusive, see Part 522, *infra*.

<sup>1</sup>A copy of the specifications is on file in the office of the FEDERAL REGISTER, and copies may be obtained upon request from the Commandant (EMMT), United States Coast Guard Headquarters, Washington 25, D. C., or any District Coast Guard Officer.



[Gen. Permit ODT 16B-1, Amdt. 1]

**PART 522—DIRECTION OF TRAFFIC MOVEMENT—EXCEPTIONS, EXEMPTIONS, AND PERMITS**

**FREIGHT SHIPMENTS TO OR WITHIN PORT OR STORAGE AREAS IN UNITED STATES AND TO OR THROUGH DOMINION OF CANADA**

Pursuant to the provisions of § 502.208 of General Order ODT 16B, paragraph (c), § 522.657 of General Permit ODT 16B-1 (9 F.R. 11285), is hereby amended to read as follows:

(c) Carload shipments of coal, in bulk, and carload shipments of coke, in bulk, irrespective of whether such shipments are earmarked for export.

This Amendment 1 to General Permit ODT 16B-1 shall become effective, September 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 16B, 9 F.R. 11279)

Issued at Washington, D. C., this 31st day of August 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16443; Filed, Sept. 4, 1945; 10:14 a. m.]

**Notices**

**DEPARTMENT OF AGRICULTURE.**

Office of the Secretary.

W. H. BISHOP HORSE & MULE AUCTION,  
ANNA, ILL.

**NOTICE AS TO POSTED STOCKYARD**

It has been ascertained that the W. H. Bishop Horse & Mule Auction, Anna, Illinois, posted on August 17, 1939, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of such stockyard and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Done at Washington, D. C., this 1st day of September 1945.

[SEAL] THOMAS J. FLAVIN,  
Assistant to the  
Secretary of Agriculture.

[F. R. Doc. 45-16449; Filed, Sept. 4, 1945; 10:59 a. m.]

**PRODUCERS LIVESTOCK COOPERATIVE ASSOCIATION STOCK YARDS, MT. VERNON, OHIO**

**NOTICE AS TO POSTED STOCKYARD**

It has been ascertained that the Mt. Vernon Live Stock Co. Stock Yards, Mt. Vernon, Ohio, posted on May 15, 1935, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now operated by the Producers Livestock Cooperative Association

and that the name of the yard is now the Producers Livestock Cooperative Association Stock Yards, and notice of such fact is given to its operator and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Done at Washington, D. C., this 1st day of September 1945.

[SEAL] THOMAS J. FLAVIN,  
Assistant to the  
Secretary of Agriculture.

[F. R. Doc. 45-16450; Filed, Sept. 4, 1945; 10:59 a. m.]

**INTERSTATE COMMERCE COMMISSION.**

[S. O. 70-A, Special Permit 1036]

**RECONSIGNMENT OF PEARS AT CHICAGO, ILL.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, August 29, 1945, by Frank Cohen, of car ART 18149, pears, now on the Chicago Produce Terminal to Fond du Lac, Wisconsin; (C&NW). The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16453; Filed, Sept. 4, 1945; 11:28 a. m.]

[S. O. 70-A, Special Permit 1037]

**RECONSIGNMENT OF PEAS AT KANSAS CITY, MO.-KANS.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Mo.-Kan., August 29, 1945, by Yeckes-Eichenbaum, of car NWX 8604, peas, now on the

A. T. & S. F. Railway, to Yeckes-Eichenbaum, Chicago, Illinois. (Santa Fe).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16454; Filed, Sept. 4, 1945; 11:28 a. m.]

[2d Rev. S. O. 300, Special Permit 46]

**REFRIGERATION OF POTATOES FROM GREENPORT, LONG ISLAND, N. Y.**

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of standard refrigeration on car WFE 62520, potatoes, shipped from Greenport, L. I., August 28, 1945, by F. H. Vahlsing, Inc., consigned to Margaret Ann Stores, Tampa, Florida, routed L. I. F. R. R.-R. F. & P.-S. A. L.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16456; Filed, Sept. 4, 1945; 11:28 a. m.]

[Rev. S. O. 346, Amended Gen. Permit 4]

**ICING AT CHICAGO AND EAST ST. LOUIS, ILL., AND ST. LOUIS, MO. AND MEMPHIS, TENN.**

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the quantity of retep ice furnished at Chicago, and East St. Louis, Illinois, St. Louis, Missouri, and Memphis, Tennessee, one time only.

This general permit shall become effective at 12:01 a. m., August 30, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16457; Filed, Sept. 4, 1945;  
11:28 a. m.]

[Rev. S. O. 346, 2d Amended Gen. Permit 4]  
ICING AT CHICAGO, DECATUR AND EAST ST. LOUIS, ILL., ST. LOUIS, MO., AND MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the quantity of retep ice furnished at Chicago, Decatur and East St. Louis, Illinois, St. Louis, Missouri, and Memphis, Tennessee, one time only.

This general permit shall become effective at 2:00 p. m., August 30, 1945.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16458; Filed, Sept. 4, 1945;  
11:28 a. m.]

[Rev. S. O. 346, Special Permit 9]

ICING OF MIXED VEGETABLES AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of one additional retep icing in transit only, with two tons of retep ice, on car ART 18700, mixed vegetables, by the Missouri Pacific Railroad at St. Louis, Missouri, August 28, 1945, as ordered by Rudin Distributing Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16459; Filed, Sept. 4, 1945;  
11:28 a. m.]

[Rev. S. O. 346, Special Permit 10]

ICING OF CARROTS AT LARAMIE, WYO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of bunker icing one time only on the Southern Pacific Company and one additional retep icing at Laramie, Wyoming, on the Union Pacific Railroad, on car MDT 19314, carrots, account car delayed in transit due to heavy bad order.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16460; Filed, Sept. 4, 1945;  
11:28 a. m.]

[Rev. S. O. 346, Special Permit 11]

ICING OF PEAS AT HARTFORD, CONN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Revised Service Order No. 346 (10 F. R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of five tons of retep ice, one time only, on car ART 20841, peas, at Hartford, Connecticut, on the N. Y., N. H. & H. Railroad, August 23, 1945, as ordered by L. Gillarde Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16461; Filed, Sept. 4, 1945;  
11:29 a. m.]

[Rev. S. O. 346, Special Permit 12]

ICING OF BROCCOLI FROM CALIFORNIA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of one bunker icing in transit only at the first available icing station enroute as ordered by Rosemary Packing Company, on cars of broccoli destined New York, N. Y., shipped from California origins by Rosemary Packing Company, as follows:

MDT 6978 shipped August 18, 1945,

PFE 63403 shipped August 21, 1945,

IC 64037 shipped August 22, 1945,

ART 29762 shipped August 23, 1945,

ART 18041 shipped August 25, 1945,

PFE 91026 shipped August 27, 1945.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16462; Filed, Sept. 4, 1945;  
11:29 a. m.]

[Rev. S. O. 346, Special Permit 13]

# ICING OF CARROTS AT ST. LOUIS, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the retop icing one time only, with not to exceed 6,000 pounds retop ice as ordered by Rudin Distributing Company, for SFRD 23639, carrots, now on Mo. Pac. at St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16463; Filed, Sept. 4, 1945; 11:29 a. m.]

## PERMIT AGENTS

### APPOINTMENT WITH RESPECT TO GRAIN

Notice of appointment of permit agents under Service Order No. 249.

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249 the appointment of the following permit agents to issue permits pursuant to paragraph (c) of said order are hereby revoked:

1. R. R. Huth, Ashdown, Ark.
7. H. C. Baker, Ft. Smith, Ark.

38. W. D. Kizer, Trumann, Ark.
76. L. T. Collins, Hughes, Ark.
101. J. R. Wilkins, Marvell, Ark.

The following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order:

1. H. D. Phillips, Ashdown, Ark.
7. H. P. Merritt, Ft. Smith, Ark.
38. Ellis Cockrell, Trumann, Ark.
76. N. L. Graves, Hughes, Ark.
99. Guy Fears, Leachville, Ark.
101. L. T. Collins, Marvell, Ark.
115. M. S. Waggoner, Osceola, Ark.

A copy of this notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of August 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-16455; Filed, Sept. 4, 1945; 11:28 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order CE 38]

### COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appear-

ing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 27, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

### EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
Item 1					
Aron Joseph Russek.....	Poland.....	Estate of Marcus Brown, deceased, Surrogate's Court, New York County, N. Y.	\$671.94	Treasurer of the City of New York, Municipal Bldg., New York, N. Y.	\$30.71
Item 2					
Aidla Russek Zelkowiez.....	Poland.....	Same.....	671.93	Same.....	30.71
Item 3					
Ralsla Russek Kasriel.....	Poland.....	Same.....	671.93	Same.....	30.71
Item 4					
Zysla Russek.....	Poland.....	Same.....	671.93	Same.....	30.71
Item 5					
Szprencā Russok.....	Poland.....	Same.....	671.93	Same.....	30.71
Item 6					
Solomon Russik (Russek).....	Poland.....	Same.....	1,612.66	Same.....	73.72
Item 7					
Idel Russek also known as Idel Russik Kasriel.....	Poland.....	Same.....	1,612.66	Same.....	73.72
Item 8					
Anna Ness.....	Poland.....	Same.....	8,063.11	Same.....	388.65

## EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
Charles Henry Gee	Monaco	Item 9 Chase National Bank of the City of New York, as Trustee under the Last Will and Testament of Daniel O'Day, deceased, Plaintiff, versus Charles O'Day, et al., Supreme Court of the State of New York, County of New York, Docket No. 14939/1943.	\$10,000.00	Treasurer of the City of New York, Municipal Bldg., New York, N. Y.	\$34.75
Jan Chruniak	Poland	Item 10 Estate of Kyril Chruniak, deceased, Surrogate's Court, New York County, N. Y.	1,452.03	Same	16.28
Petro Chruniak also known as Pitro Chruniak.	Poland	Item 11 Estate of Kyril Chruniak, deceased, Surrogate's Court, New York County, N. Y.	1,452.03	Same	16.82
Nufer Chruniak also known as Onufry Chruniak.	Poland	Item 12 Same	1,452.03	Same	16.82
Wiktoria C. Kaplan, also known as Wiktoria Kaplan.	Poland	Item 13 Same	1,452.03	Same	16.83
Daniel Chruniak	Poland	Item 14 Same	1,452.03	Same	16.83
Jenny Sulzbach	Holland	Item 15 Estate of Hirsch Benjamin, Heinrich Guggenbuhl, and Emma Guggenbuhl, deceased, Surrogate's Court, New York County, N. Y., Docket Nos. 2119/1941 and 2414/1941.	6,219.03	Same	21.23
Betty Baer and Alfred Joseph Baer.	Holland	Item 16 Same	3,057.03	Same	21.31

[F. R. Doc. 45-16299; Filed, Aug. 31, 1945; 10:03 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT R-3, Rev., Revocation]

## INTERNATIONAL-GREAT NORTHERN RAILROAD-TEXAS AND NEW ORLEANS RAILROAD CO.

## ESTABLISHMENT OF DAILY SHUTTLE TRAIN PASSENGER SERVICE BETWEEN HOUSTON AND HOUSTON SHIPBUILDING CORP. NEAR DEEPWATER, TEX.

Pursuant to Executive Order 8989, as amended, Special Order ODT R-3, Revised (7 F.R. 10891), is hereby revoked effective September 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 31st day of August 1945.

J. M. JOHNSON,  
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16444; Filed, Sept. 4, 1945; 10:14 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[MPR 580, Order 110]

BELMONT GARMENT CO.

## AUTHORIZATION OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Order 110; establishing ceiling prices at retail for certain articles, Docket No. 6063-580-13-215.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580, it is ordered:

(a) The following ceiling prices are established for sales by any seller at retail of the following articles manufactured by Belmont Garment Company, 560 Harrison Avenue, Boston 18, Mass., having the brand name Belster Elkskin, and described in the manufacturer's application dated June 22, 1945:

Article	Lot No.	Manufacturer's selling price	Retail ceiling price
Men's unlined raincoat.	897	\$3.75	\$15.00

(b) The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by paragraph (a) shall be the retail ceiling price listed for that other article in paragraph (a).

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after October 1, 1945, Belmont Garment Company, must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price—\$-----

On and after November 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16356; Filed, Aug. 31, 1945; 10:41 a. m.]

[RMFR 165, Order 46]

## TIRE SERVICES

## AUTHORIZATION OF SALES AT ADJUSTABLE MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 17 of the regulation, it is ordered:

Any person may perform the service of splitting tires into their component parts

at prices to be adjusted upward in accordance with action that may hereafter be taken by the Office of Price Administration, changing the existing maximum prices for sales of such service. However, no seller shall receive payment of more than the presently established maximum prices for such service unless and until the Office of Price Administration changes existing maximum prices.

This order may be amended or revoked at any time.

This order shall become effective September 5, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16480; Filed, Sept. 4, 1945;  
11:51 a. m.]

[Max. Import Price Reg., Order 101]

BALLY, INC.

#### ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which any person may sell, and maximum prices at which any person other than the importer may buy, certain shoes imported from Switzerland by Bally, Inc., 11 West 42nd Street, New York, N. Y., hereinafter called the "importer". The shoes covered by this order are described in Appendix A attached hereto and made a part hereof.

(b) *Maximum prices on sales by any person except a retailer.* No person other than a retailer may sell or deliver, and no person may buy or receive from such seller, the shoes described in Appendix A at prices higher than those set forth in Column II of Appendix A.

(c) *Maximum retail prices.* No retailer may sell or deliver, and no person may buy or receive from a retailer, the shoes described in Appendix A at prices higher than those set forth in Column III of Appendix A.

(d) *Importer or other seller to notify retailers.* The importer or other seller shall notify each retailer to whom such shoes are sold what are his maximum retailer selling prices therefor as established by this order.

(e) *Revocation and amendment.* The provisions of Order No. L-2632 issued under section 8 of the Maximum Import Price Regulation, effective April 10, 1945, are incorporated in this order and Order No. L-2632 is therefore revoked. This order may be revoked or amended at any time.

This order shall become effective August 31, 1945.

Issued this 30th day of August 1945.

CHESTER BOWLES,  
Administrator.

#### APPENDIX A

I Item and description	Material	II Maximum prices on sales to retailers	III Maximum prices on sales by retailers to consumers
Women's shoes pattern:			
Primo.....	Calf.....	\$10.10	\$17.65
Angela.....	do.....	10.10	17.65
Mobile.....	do.....	10.10	17.65
Tenero.....	do.....	10.70	18.70
Gambetta.....	do.....	10.75	18.80
Sea Gull.....	Morocco.....	11.10	19.40
Virginal.....	Calf.....	11.10	19.40
Poledro II.....	do.....	11.10	19.40
Polo.....	do.....	11.10	19.40
Tivoli.....	do.....	11.10	19.40
Timballo.....	Morocco.....	11.10	19.40
Marchesa.....	Calf.....	11.50	20.10
Angela.....	Blanchette 1.....	11.75	20.55
Fata.....	Kid.....	12.00	21.00
Medici.....	Suede.....	12.15	21.25
Saragossa.....	Calf.....	12.15	21.25
Privanza.....	Calf.....	12.15	21.25
Congresso.....	Calf.....	12.50	21.85
Lucia.....	Calf.....	12.50	21.85
Stromboli.....	Calf.....	13.15	23.00
Rivalita.....	Calf.....	13.15	23.00
Ramogna.....	Calf.....	13.15	23.00
Lucia.....	Calf and suede combined.....	13.15	23.00
Saragossa.....	Kid.....	13.75	24.05
Lucia.....	Suede.....	13.75	24.05
Medici.....	Suede.....	13.75	24.05
Congresso.....	Suede.....	14.10	24.65
Rivalita.....	Kid.....	14.75	25.80
Stromboli.....	Suede.....	14.80	25.90
Scherzo.....	Kid.....	14.80	25.90
Men's Blucher Oxford.....	Calf.....	14.75	25.80

1 Blanchette is a suede leather.

[F. R. Doc. 45-16318; Filed, Aug. 31, 1945;  
10:31 a. m.]

[MPR 188, Order 1078]

ELECTRONIC KITCRAFT CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This revised order establishes maximum prices for sales and deliveries of two 4 tube radio kits, Model K5000, AC-DC, and Model K4000, battery operated, manufactured by Electronic Kitcraft Company, 175 Fifth Avenue, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by sellers, the maximum prices are those set forth below:

Maximum prices for Models K4000 and K5000 to U. S. Government agencies and to jobbers.....	\$8.06
Maximum prices for Models K4000 and K5000 to retailers.....	9.60
Maximum prices for Models K4000 and K5000 to consumers.....	15.95

The above maximum prices are subject to discount of 2% 10 days, net 30 days, f. o. b. New York for all sales at wholesale. Federal excise tax may be added.

These maximum prices are for the articles described in the manufacturer's application dated May 19, and completed July 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this revised order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this revised order. That tag or label shall contain the following statement:

Model Number -----  
OPA Retail Ceiling Price—\$-----  
Federal Excise Tax -----  
Manufactured by Electronic Kitcraft Co.  
New York City  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

(e) This revised order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16322; Filed, Aug. 31, 1945;  
10:46 a. m.]

[MPR 64, Rev. Order 135]

J. ROSE & CO., INC.

#### APPROVAL OF MAXIMUM PRICES

Order No. 135 under Maximum Price Regulation No. 64 is hereby revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation No. 64; it is ordered:

(a) This revised order establishes maximum prices for sales of the Model No. 1900 gas range manufactured by the Automatic Range Company, 59 Pearl Street, Brooklyn, New York, as follows:

(1) For sales by J. Rose & Co., Inc., 68 Jay Street, Brooklyn, New York, to the classes of purchasers indicated below, the



maximum prices including the Federal excise tax are those set forth below:

Article	Maximum prices for sales by J. Rose & Co., Inc. to:		
	Wholesale distributors	Retail dealers	The real estate trade
Model No. 1900 without oven-heat control	Each \$31.69	Each \$35.11	Each \$39.02
Model No. 1900 without oven-heat control equipped to burn liquid petroleum	32.79	36.32	40.34
Model No. 1900 with oven-heat control	35.65	40.61	45.12
Model No. 1900 with oven-heat control equipped to burn liquid petroleum	37.75	41.82	46.44

These prices are f. o. b. Brooklyn and are subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(2) For sales in each zone by wholesale distributors to retail dealers the maximum prices including the Federal excise tax are those set forth below:

Article	Maximum prices for sales by wholesale distributors to retail dealers			
	Zone 1	Zone 2	Zone 3	Zone 4
Model No. 1900 without oven-heat control	Each \$39.57	Each \$40.11	Each \$40.93	Each \$41.97
Model No. 1900 without oven-heat control equipped to burn liquid petroleum	40.78	41.32	42.19	43.18
Model No. 1900 with oven-heat control	45.77	46.39	47.40	48.54
Model No. 1900 with oven-heat control equipped to burn liquid petroleum	46.98	47.60	48.61	49.75

These prices are f. o. b. the seller's city and subject to the seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(3) For sales in each zone to ultimate consumers the maximum prices including the Federal excise tax but not including any local sales taxes are those set forth below:

Article	Maximum prices for sales to ultimate consumers			
	Zone 1	Zone 2	Zone 3	Zone 4
Model No. 1900 without oven-heat control	Each \$61.64	Each \$61.64	Each \$62.64	Each \$63.64
Model No. 1900 without oven-heat control equipped to burn liquid petroleum	62.74	63.74	64.74	65.74
Model No. 1900 with oven-heat control	70.14	71.23	72.45	73.60
Model No. 1900 with oven-heat control equipped to burn liquid petroleum	72.24	73.39	74.65	75.70

These prices are subject to the seller's customary terms, discounts, and other price differentials in effect on sales of similar articles.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, J. Rose & Co., Inc., and each wholesale distributor shall notify the purchaser of the maximum prices and con-

ditions set by this order for resales by the purchaser. This notice shall be given in any convenient form.

(c) J. Rose & Co., Inc., shall, before delivering any gas range covered by this order, attach securely to such range a label showing the model number of the range, the type of fuel it is equipped to burn, whether it is equipped with an oven heat control, its OPA retail ceiling price in each zone, and a list of the states included in each zone. The label shall also contain a statement that the ceiling prices as stated include the Federal excise tax, but do not include any local sales taxes.

(d) For purposes of this order Zones 1, 2, 3 and 4 shall comprise the following states:

Zone 1: Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Maryland, District of Columbia, Delaware, Ohio, West Virginia, Virginia, North Carolina, South Carolina.

Zone 2: Wisconsin, Michigan, Iowa, Illinois, Indiana, Missouri, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Louisiana, Florida.

Zone 3: North Dakota, Minnesota, South Dakota, Nebraska, Colorado, Kansas, Oklahoma, Texas, Arkansas.

Zone 4: Washington, Oregon, California, Idaho, Nevada, Montana, Wyoming, Utah, Arizona, New Mexico.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16319; Filed, Aug. 31, 1945;  
10:45 a. m.]

[MPR 183, Rev. Order 3710]

GENERAL SALES Co.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the General Sales Company, 222 Colorado National Bank Building, Denver 2, Colo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—		
		Wholesale (jobbers)	Retailers	Consumers
Clothes hamper.	Colorado No. 2, Zephyr.	Each \$3.35	Each \$4.65	Each \$6.75

These maximum prices are for the articles described in the manufacturer's application dated February 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 183 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16324; Filed, Aug. 31, 1945;  
10:39 a. m.]

[MPR 183, Rev. Order 4127]

AIRCRAFTSMEN Co.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Aircraftsmen Company, 223 Hindry Avenue, Inglewood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesale (jobbers)	Chain and department stores	Other retailers	Consumers
Free spin, 10" diameter, 2" depth, but not including, 33.0 diameter	1931.5	Each \$1.00	Each \$1.00	Each \$1.00	Each \$1.00

These maximum prices are for the article described in the manufacturer's application dated July 3, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.50  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16325; Filed, Aug. 31, 1945;  
10:45 a. m.]

[MPR 188, Rev. Order 2748]

MISSISSIPPI MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2748 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of a dinette set manufactured by Mississippi Manufacturing Company, Canton, Mississippi.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from their own stock	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons other than retailers, who sell from the manufacturer's stock
Dinette table.	44 x 32.	Each \$10.35	Each \$11.00	Each \$12.95
Dinette chair.	44 x 32.	Each 2.80	Each 2.93	Each 3.50
Dinette set.	44 x 32.	Each 21.55	Each 22.92	Each 26.95

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated September 11, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this revised order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16323; Filed, Aug. 31, 1945;  
10:38 a. m.]

[MPR 188, Order 4361]

SOUTHERN METAL STAMPING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Southern Metal Stamping Company of 2220 Calhoun Street, New Orleans 13, Louisiana.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and dept. stores	Other retailers	Consumers
Mall box, black enamel, 11 x 5 1/4 x 1 1/4	SM03	Per doz. \$1.60	Per doz. \$6.40	Per doz. \$6.00	Each \$9.70
Vegetable bin, 20 gauge steel, white baked enamel, 15" x 7 1/4" x 21"	SM02	Each \$1.125	Each \$1.35	Each \$1.60	Each \$2.25

These maximum prices are for the articles described in the manufacturer's application dated July 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the model number and retail prices properly filled in:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16326; Filed, Aug. 31, 1945;  
10:36 a. m.]

[MPR 188, Order 4362]

CRYSTAL WARE CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Crystal Ware Company, 654 Broadway, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
18 1/2" crystal hurricane lamp with hand cut shade, 4" tear drops and hand cut base.....	23	Each \$6.38	Each \$7.50	Each \$13.50
17 1/2" crystal hurricane lamp with 10" shade hand cut, pressed prisms, fount, block and base.....	27	5.31	6.25	11.25
Crystal hurricane lamp with hand cut ruby shade, 2 ruby breaks and base.....	6	7.79	9.17	16.50

These maximum prices are for the articles described in the manufacturer's application dated April 17, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers

is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$\_\_\_\_\_

Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16327; Filed, Aug. 31, 1945;  
10:35 a. m.]

[MPR 188, Order 4363]

WARD M. IRVIN Co.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Ward M. Irvin Company of 237 Fremont Street, Battle Creek, Mich.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Wholesalers (Jobbers)	Retailers	Consumers
Jar top remover.....	None	Each \$9.14	Each \$9.19	Each \$9.20

These maximum prices are for the articles described in the manufacturer's application dated June 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.30 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16323; Filed, Aug. 31, 1945;  
10:35 a. m.]

[MPR 183, Order 4364]

LA DOAL'S INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by La Doal's Incorporated, 2705 Beaver Avenue, Des Moines 11, Iowa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (Jobbers)	Department and chain stores	Other retailers	Consumers
Kitchen stool, 24", white painted.....	None	Each \$1.25	Each \$1.00	Each \$1.84	Each \$2.75

These maximum prices are for the articles described in the manufacturer's application dated June 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchasers or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.76 each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16329; Filed, Aug. 31, 1945;  
10:36 a. m.]

[MPR 188, Order 4365]

WOOD SPECIALTIES CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Wood Specialties Company, 6550 Ravenna Street, Seattle 5, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesale- sellers (Job- bers)	Chain and de- part- ment stores	Other retail- ers	Con- sum- ers
Marketot....	None	Each \$2.25	Each \$2.70	Each \$3.00	Each \$4.50

Description: A rectangular wooden frame, two wheels at one end; a handle at the other; a canvas bag for parcels fastened with upholstery nails to frame; a seat and foot rest for a small child; two props to hold the device in an upright position while at rest.

These maximum prices are for the articles described in the manufacturer's application dated June 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a

maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.50  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16330; Filed Aug. 31, 1945;  
10:36 a. m.]

[MPR 188, Order 4366]

HALCOLITE CO., INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Halcolite Company, Inc., 68 34th Street, Brooklyn 32, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal hurricane lamp with 3" prisms, pressed crystal base and column in swirl effect.	4067.....	Each \$4.28	Each \$5.03	Each \$9.03
17½" crystal hurricane lamp with 5" prisms, pressed crystal base, break and swirl column.	4033.....	5.09	5.99	10.80
17½" crystal hurricane lamp with 5" prisms, pressed crystal base, break and swirl column.	4033 (Ruby).....	5.31	6.25	11.25
19½" crystal hurricane lamp with base, two diamond shaped breaks and vase.	3060 (Clear).....	6.38	7.50	13.50
19½" crystal hurricane lamp with 3" prisms, hand cut base, fount and shade.	4012 (Clear).....	8.25	9.71	17.50
Crystal hurricane lamp with 3" heavy prisms, and vase column.	3035.....	9.06	10.66	19.20
19½" Crystal hurricane lamp with 3" prisms, hand cut base and fount.	4012 (Ruby).....	10.63	12.50	22.50
15½" crystal hurricane lamp with 3¼" prisms, base, two diamond shaped breaks, hand cut ruby ball break and shade.	4034 (Ruby).....	10.92	12.85	23.15
Crystal hurricane lamp with imported prisms, base and hand cut vase and shade.	3089 (Clear).....	10.57	12.43	22.40
Crystal hurricane lamp with 4" prisms, crystal base, cube and hand cut vase and shade.	3089 (Ruby).....	11.89	13.99	25.20
22½" crystal hurricane lamp with 4" prisms, crystal base, 3 diamond shape breaks, two ball breaks.	4008.....	13.54	15.93	28.70
22" crystal hurricane lamp with 5" prisms, base, cut ball break and vase.	4030 (Ruby).....	15.83	18.62	33.50
24" crystal hurricane lamp with 4½" prisms, base, break and vase.	3064.....	16.53	19.45	35.00
20" crystal hurricane lamp with 4" prisms, hand cut base, and two ball breaks.	4058.....	17.00	20.00	36.00
22" crystal hurricane lamp, 6" prisms, hand cut base, break, and vase.	4036.....	21.25	25.00	45.00

These maximum prices are for the articles described in the manufacturer's application dated June 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16331; Filed, Aug. 31, 1945;  
10:37 a. m.]

[MPR 188, Order 4367]

ALCON LIGHTCRAFT CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Alcon Lightcraft Company, 95 Elizabeth Street, New York 13, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
17 1/2" crystal hurricane lamp, crystal base and column with 10 crystal prisms, cut crystal hurricane chimney.	123-H	Each \$4.25	Each \$5.05	Each \$2.10
20" table lamp, metal base with ruby cut shade polished cruller, crystal bubble ball, and cut ruby fount.	169-T	6.37	7.59	13.50
15" crystal cut hurricane lamp, scalloped metal base with crystal cut fount and crystal cut chimney.	209-H	4.45	5.25	9.45
13" metal hurricane lamp with scalloped metal base, metal 2-piece fount and crystal cut chimney.	202-H	3.74	4.17	7.50
20" crystal table lamp, with crystal base with floral design on sides; tulip cups top and bottom; 2 ruby cut founts with center crystal bubble ball.	1-T	8.24	9.25	11.50
12" hurricane lamp with metal base, center crystal bubble ball and crystal cut chimney, scalloped top.	200-H	2.27	3.03	5.45
20" table lamp, polished crystal base and two ruby cut shades (one inverted) with center crystal ridge break.	137-T	8.10	9.09	10.89
20" hurricane lamp, polished crystal base with scalloped bubble cup; small ruby cut shade with scalloped crystal tokeshi and 14 crystal prisms; large ruby cut shade.	148-H	8.70	9.75	12.20
15" hurricane lamp, metal bottom plate with scalloped metal base, opal crystal fount with opal crystal chimney and hand painted flowers.	201-H	8.74	9.75	12.15

These maximum prices are for the articles described in the manufacturer's application dated April 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16332; Filed, Aug. 31, 1945;  
10:37 a. m.]

[MPR 183, Order 4363]

GENERAL SALES CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the General Sales Company, 222 Colorado National Bank Building, Denver, Colo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—		
		Wholesale (jobbers)	Retailers	Consumers
Clothes hamper.	Denver #1 Zephyr Century #3 Zephyr.	Each \$3.15 2.25	Each \$3.95 4.45	Each \$2.50 2.75

These maximum prices are for the articles described in the manufacturer's application dated February 28, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices ap-



ply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct retail ceiling price filled in:

OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16333; Filed, Aug. 31, 1945;  
10:37 a. m.]

[MPR 188, Order 4369]

ALLIED SALES & SERVICE CO. AND THE  
BRITTANY CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Allied Sales & Service Company and The Brittany Company, 401 East 31st Street, New York, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
30" decorated china table lamp with gold plated metal base.	101-----	Each \$10.63	Each \$12.50	Each \$22.50
25 1/2" china table lamp urn shaped in various solid glazes.	200-----	7.49	8.81	15.85
30" china table lamp in various solid color glazes with gold plated metal base.	205-----	7.65	9.00	10.20
30" china table lamp, hand decorated, with gold plated metal base.	305-----	14.65	17.23	31.00
26" hand decorated china table lamp with gold plated metal base.	330-----	14.51	17.07	30.75
30" china table lamp, hand decorated with gold plated metal base.	350-----	15.22	17.90	32.20
31" china figures in various colors with metal base and hand sewn, fringe top, silk covered 16" shade.	510/O-----	13.12	15.43	27.80
25" china table lamp, hand decorated with gold plated metal base.	646-----	6.94	8.16	14.70
30" hand decorated opal glass table lamp with double marble base and column composed of two chimneys.	04-----	8.85	10.41	18.75
27" hand decorated opal glass table lamp with base, column and ball shaped top break.	45-45B-----	6.71	7.90	14.22
30" hand decorated opal glass table lamp with vase type base, fount and top break.	40/M-41/M-----	9.95	11.70	21.00
Opal glass, hand decorated table lamp with gold fittings, base, break, column and fount.	042L-----	11.60	13.75	24.75
Opal glass, hand decorated table lamp with base, column and fount.	45-V-----	6.35	7.47	13.45
32" crystal table lamp with base, lead crystal hand cut ball break and crystal column.	C-21-----	9.80	11.53	20.75
31" crystal table lamp, cut and polished with metal base gold or silver plated.	CS/9-CF/9-----	14.45	17.00	30.60
30" crystal table lamp of lead glass, cut and polished with square gold plated base, break and column.	C1M, C14M (gold)-----	11.75	13.83	24.90
30" crystal table lamp of lead glass cut and polished with square silver plated base, break and column.	C1M, C14M (silver)-----	15.15	17.83	32.10
31" lead crystal table lamp cut and polished composed of base, square break, ball break and vase column.	C16-----	15.01	17.60	31.79
32" ruby crystal table lamp with cut base, vase column and top ball break.	C9-R-----	15.01	17.66	31.79
27 1/2" ruby crystal table lamp cut and polished.	C10-Ruby-----	12.14	14.28	25.70
27 1/2" crystal table lamp lead crystal, cut and polished.	C10-Crystal-----	9.83	11.57	20.83
32" rub crystal table lamp base, column and break.	18 and 20-----	8.99	10.55	19.05

These maximum prices are for the articles described in the manufacturer's application dated April 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered,

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16334; Filed, Aug. 31, 1945;  
10:37 a. m.]

[MPR 188, Order 4370]

EAST BIRMINGHAM BRONZE FOUNDRY CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by East Birmingham Bronze Foundry Company, 831 North 36th Way, Birmingham 4, Ala.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers	Dropship jobbers	Chain and department stores	Other retailers	Consumers
Aluminum roaster 9 x 12 x 5-----	LE120-P-----	\$4.88	\$5.37	\$5.07	\$6.64	\$9.05

These maximum prices are for the articles described in the manufacturer's application dated July 30, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$9.95  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16335; Filed, Aug. 31, 1945;  
10:38 a. m.]

[MPR 188, Order 4371]

HENRY R. BECKER

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Henry R. Becker, 1515 Nedro Avenue, Philadelphia, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
China commode table lamp with floral decoration— spun metal base.....	76	Each \$4.25	Each \$5.69	Each \$9.09
	73	6.05	7.69	12.09
	69	4.25	5.69	9.09
China commode table lamp with china flower trim— spun metal base.....	77	5.75	6.75	12.15

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 4th day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16335; Filed, Aug. 31, 1945;  
10:38 a. m.]

[MPR 183, Order 4372]

SHERMAN, WILLIAMS & PARTNERS

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sherman, Williams & Partners, 807 Matadero Avenue, Palo Alto, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum price for sales by any seller to—			
		Jobbers	Chain and dept. stores	Other retailers	Consumers
Fry pan.....	1	Each \$1.15	Each \$1.25	Each \$1.50	Each \$2.15

These maximum prices are for the articles described in the manufacturer's application dated August 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement

Model No. 1  
OPA Retail Ceiling Price—\$2.25 Each  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16337; Filed, Aug. 31, 1945;  
10:39 a. m.]

[MPR 188, Order 4373]

UNION PRODUCTS CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Union Products Company, 1462 East New York Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric stove, 2 burner, 2 switches, 6' cord.....	202	Each \$4.25	Each \$5.05	Each \$5.40	Each \$5.10

These maximum prices are for the articles described in the manufacturer's application dated August 23, 1945. These prices include Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Union Products Company  
1462 E. New York Ave.  
Brooklyn, N. Y.  
Model No. 202  
OPA Retail Ceiling Price—\$8.10  
Federal Excise Tax Included  
Do Not Detach or Obliterate

OR

Order No. 4373 under MPR 188  
Model No. 202  
OPA Retail Ceiling Price—\$8.10  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16338; Filed, Aug. 31, 1945;  
10:47 a. m.]

[MPR 188, Order 4374]

REDAN ELECTRIC CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Redan Electric Company, 34-07 Thirty-sixth Avenue, Astoria, Long Island, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (Jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric space heater, brown enamel finish, cord and plug, 1000 watt.....	BR1000	Each \$2.75	Each \$3.22	Each \$3.47	Each \$5.20

These maximum prices are for the articles described in the manufacturer's application dated August 1, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices

apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Order No. 4374  
Model No. BR1000  
OPA Retail Ceiling Price—\$5.20  
Federal Excise Tax Included  
Do Not Detach or Obliterate

OR

Redan Electric Company  
34-07 Thirty-sixth Avenue  
Astoria, Long Island, New York  
Model No. BR1000  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16339; Filed, Aug. 31, 1945;  
10:46 a. m.]

[MPR 188, Order 4375]

INDUSTRIAL TOOL & DIE WORKS

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of single burner electric hot plates manufactured by the Industrial Tool and Die Works, 2824 University Avenue SE., Minneapolis 14, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—				
		Distributor	Wholesaler (jobber)	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
Single burner hot plate, 1,000-watt, cord and switch.....	102	Each \$1.76	Each \$2.07	Each \$2.45	Each \$2.63	Each \$3.93

These maximum prices are for the article described in the manufacturer's application dated August 20, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than the manufacturer are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Order No. 4375  
Model No. 102  
OPA Retail Ceiling Price—\$3.95  
Federal Excise Tax Included  
Do Not Detach or Obliterate

or

Industrial Tool & Die Works  
2824 University Avenue SE,  
Minneapolis 14, Minnesota  
Model No. 102  
OPA Retail Ceiling Price—\$3.95  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16340; Filed, Aug. 31, 1945;  
10:46 a. m.]

[MPR 183, Order 4376]

ELITE APPLIANCES, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain

articles manufactured by Elite Appliances, Incorporated, 5014 Fort Hamilton Parkway, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesaler (jobber)	Retailer (6 units or more)	Retailer (less than 6 units)	Consumer
Two-burner hot plate, one heat, cord and plug, black enamel finish.....	83	Each \$1.76	Each \$1.22	Each \$4.70	Each \$7.09

These maximum prices are for the articles described in the manufacturer's application dated July 31, 1945. They include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Order No. 4376  
Model No. 83  
OPA Retail Ceiling Price—\$7.09  
Federal Excise Tax Included  
Do Not Detach or Obliterate

or

Elite Appliances, Incorporated  
5014 Fort Hamilton Parkway  
Brooklyn, New York  
Model No. 83  
OPA Retail Ceiling Price—\$7.09  
Federal Excise Tax Included  
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16341; Filed, Aug. 31, 1945;  
10:46 a. m.]

[MPR 183, Order 4377]

BROOK PRODUCTS, INC.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 183, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Brook Products, Inc., 28 West 22d Street, New York 10, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
13 1/4" crystal vanity lamp of pressed glass.....	MO-Pear.	Each \$1.19	Each \$1.49	Each \$2.10

These maximum prices are for the articles described in the manufacturer's application dated June 4, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.153 of Maximum Price Regulation No. 183, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and

the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16342; Filed, Aug. 31, 1945;  
10:47 a. m.]

[MPR 188, Order 4378]

FULTON LAMP CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Fulton Lamp Company, 1402 Fulton Avenue, Box 56, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
27" crystal table lamp with etched square base, four breaks and column.....	34	Each \$3.40	Each \$4.00	Each \$7.20
16" crystal vanity lamp with round base, two round breaks and one octagon break.....	32	2.46	2.89	5.20
13" crystal vanity lamp with base, break and tube.....	(33-M1) (33-M2)	1.70	2.00	3.60
14" crystal vanity lamp with round base, tube and two breaks.....	33	2.04	2.40	4.30
13" crystal vanity lamp with hexagon base, hexagon break and tube.....	44	2.01	2.37	4.25
20" crystal vanity lamp with octagon base, three octagon breaks and tube.....	36	2.75	3.24	5.85

These maximum prices are for the articles described in the manufacturer's application dated April 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Reg-

ulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16343; Filed, Aug. 31, 1945;  
10:39 a. m.]

[MPR 188, Order 4379]

REYNOLDS METALS CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Reynolds Metals Company, 2000 South Ninth Street, Louisville, Ky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum price to—			
	Jobbers	Supply houses and large retailers	Other retailers	Consumer
Canteen cup.....	\$0.31	\$0.41	\$0.49	\$0.61
11-qt. stew pan.....	1.61	2.16	2.68	3.22
11-qt. stew pan semi-processed.....	1.23	1.64	1.97	2.46
13½-qt. stew pan.....	1.63	2.17	2.61	3.20

"Seconds" 10% off "firsts."

The above maximum prices include Federal excise tax. They are subject to a cash discount of 2%, 10 days and are f. o. b. factory. These maximum prices are for the articles described in the manufacturer's application dated July 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16344; Filed, Aug. 31, 1945;  
10:45 a. m.]

[MPR 188, Order 4380]

MAYFAIR ELECTRIC CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed



with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Mayfair Electric Company, 7318 Frankford Avenue, Philadelphia 36, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Crystal pin-up lamp with crystal base and rosette break, shade with top and bottom braid trim.	101	Each \$1.25	Each \$1.50	Each \$2.70
15½" crystal vanity lamp with crystal base, diamond shaped break, reeded tube and silk shade with ruche-top and bottom.	100-S	2.34	2.75	4.95
15½" crystal vanity lamp with crystal base, break and reeded tube. Shade with top and bottom braid trim.	100-P	1.25	1.45	2.65

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington 25, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. \_\_\_\_\_  
OPA Retail Ceiling Price—\$\_\_\_\_\_

Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for

sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 1st day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16345; Filed, Aug. 31, 1945;  
10:45 a. m.]

[MPR 200, Order 5]

HOLITE MFG. CO., INC.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1315.1405b of Maximum Price Regulation 200, it is ordered:

(a) *What this order does.* This order establishes the manufacturer's, wholesalers' and shoe repairmen's maximum prices for sales in the shoe repair trade of super grade women's 10½ iron black and brown composition half soles bearing the brand name Cat's Paw Twin Gripper, and manufactured by the Holite Manufacturing Company, Inc., Warner and Ostend Streets, Baltimore 30, Md.

(b) *The manufacturer's and wholesalers' maximum prices.* The manufacturer's and wholesalers' maximum prices for sales in the shoe repair trade of the soles described in paragraph (a) are as follows:

	Maximum price per doz. pair—	
	Sales to shoe repairmen	Sales to wholesalers
Black.....	\$2.60	\$1.85
Brown.....	3.70	2.75

The above maximum prices for sales to shoe repairmen shall be reduced by any cash discounts given by the seller to shoe repairmen of the same class during March 1942.

The above maximum prices for sales to wholesalers shall be decreased by 5 percent if the purchaser pays cash within thirty days after delivery.

All other discounts, allowances, and trade practices of sellers covered by this order which were in effect during March 1942, shall apply to sales governed by this order.

(c) *Shoe repairmen's maximum prices for sales of the unattached soles.* The maximum price for a sale of the unattached rubber soles covered by this order, by a shoe repairman, shall be 40 percent of the maximum prices established under the appropriate regulation of the Office of Price Administration for sales of the attached rubber soles.

(d) *Notification of maximum prices.* With or prior to the first delivery to a wholesaler or a shoe repairman of any of the soles covered by this order, the seller shall notify the purchaser in writing of the maximum prices for sales of the unattached soles at retail, as established by paragraph (c) of this order. If the purchaser is a wholesaler, the notification shall include the maximum price applicable to the wholesaler's resales to wholesalers and to shoe repairmen (as established by paragraph (b) of this order), and a statement that such purchaser is required to notify any shoe repairman to whom he sells of the maximum prices for sales by shoe repairmen of the soles unattached, as established by paragraph (c) of this order.

(e) All provisions of Maximum Price Regulation 200 that are not inconsistent with this order shall apply to sales covered by this order.

(f) This order may be revoked or amended by the Administrator at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16346; Filed, Aug. 31, 1945;  
10:38 a. m.]

[MPR 210, Order 15 Under Rev. Supp.  
Order 93\*]

MONTEZUMA KNITTING MILL, INC.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) *Ceiling prices for sales by Montezuma Knitting Mill, Inc.* (1) On and after September 1, 1945, Montezuma Knitting Mill, Inc., Montezuma, Georgia, may sell and deliver, and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Montezuma Knitting Mill, Inc. at prices not in excess of the following adjusted ceiling prices:

Style No.	Description	Adjusted ceiling price (per dozen)
12E	Men's union suit, rib knit, made of 14/1 carded yarn, net weight 12 pounds per dozen (base size 42), regular sizes.	\$9.10½
22DE	Boys' flatlock union suit, rib knit, made of 16/1 carded yarn, net weight 6¾ pounds per dozen, in sizes 6-16.	6.32½ 6.97½
22DE	Boys' overlock union suit, rib knit, made of 16/1 carded yarn, net weight 6¾ pounds per dozen, in sizes 6-16.	5.94 5.69

(2) The adjusted ceiling prices set forth in paragraph (1) above are subject

\* 10 F.R. 6736, 2357.

to terms of net 30 days and to all trade practices, including practices relating to shipping and the payment of shipping charges customarily used by Montezuma Knitting Mill, Inc., during the period July 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(b) *Ceiling prices for sales at wholesale.* (1) On and after September 1, 1945, the ceiling price for a sale at wholesale of the garments enumerated in paragraph (a) of this order, shipped to the seller by Montezuma Knitting Mill, Inc., on or after that date shall be determined in the following manner:

(i) The wholesaler shall first find his "cost base" for the garment being priced from the following table:

Style No.:	Cost base
12E-----	\$8.62½
8989E¹-HNLSA-----	5.75
8989E¹-SSK-----	5.50
8989E¹-HNLSA-----	5.50
8989E¹-SSK-----	5.25

¹ Sizes 6-16.

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup" determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210.

(iii) The wholesaler will then add to the amount found in (ii), immediately above, the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price per dozen for the garment being priced.

Style No.:	Amount that wholesaler may add to his price (per dozen)
12E-----	\$0.36
8989E¹-HNLSA-----	.43
8989E¹-SSK-----	.43
8989E¹-HNLSA-----	.33
8989E¹-SSK-----	.33

¹ Sizes 6-16.

(2) The ceiling prices established for sales at wholesale in this paragraph are subject to all discounts, allowances, price differentials and other trade practices which the wholesaler used during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) *Statement which Montezuma Knitting Mill, Inc. must send to wholesalers.* (1) On and after September 1, 1945, Montezuma Knitting Mill, Inc. shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

#### STATEMENT TO WHOLESALERS OF ADJUSTED CEILING PRICES

The OPA has adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 15, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage mark-up" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b)

of Maximum Price Regulation 210). You then find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	Column A Montezuma's adjusted ceiling price	Column B "Cost base" to which wholesaler applies "initial percentage mark-up"	Column C Amount of adjust- ment which wholesaler may add
	Per dozen	Per dozen	
12E-----	\$9.10½	\$8.62½	\$0.36
8989E¹-HNLSA-----	6.32½	5.75	.43
8989E¹-SSK-----	6.07½	5.50	.43
8989E¹-HNLSA-----	5.94	5.50	.33
8989E¹-SSK-----	5.69	5.25	.33

¹ Sizes 6-16.

Please note that, as a wholesaler, you are required by the OPA to transmit to each retailer to whom you deliver any of the garments listed above on or after September 1, 1945, a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under Maximum Price Regulation 210 prior to the date of this order. In Column B you shall list the new ceiling prices which you determine in accordance with the method indicated in this statement to you. In Column C you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by you to your retailer customers of the styles shipped to you by us.

#### WHOLESALE'S STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGE

The Office of Price Administration, pursuant to Order No. 15, issued under Revised Supplementary Order 99, has permitted us to adjust our ceiling prices on the following garments, sold and delivered by us to you on or after \_\_\_\_\_, 1945.

Style No.	Column A Our old ceiling price	Column B Our new ceiling price	Column C Our OPA adjustment charge (differ- ence between old and new ceiling price)
	Per dozen	Per dozen	Per dozen
12E-----			
8989E¹-HNLSA-----			
8989E¹-SSK-----			
8989E¹-HNLSA-----			
8989E¹-SSK-----			

¹ Sizes 6-16.

Please note that the OPA has ruled that you must price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments the OPA has ruled that you must use as your "net cost" under MPR 580 or your "cost base" under MPR 210 the amount set forth in Column A above. You may not, in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling price for these garments under either of these regulations.

(2) The statement required to be sent by Montezuma Knitting Mill, Inc. to its wholesalers, as provided in this paragraph (c), and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by Montezuma Knitting Mill, Inc. of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which the Montezuma Knitting Mill, Inc. is permitted an adjustment of its ceiling price

under this order, shall be sent by Montezuma Knitting Mill, Inc. in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) *Statement which wholesalers must send to their retailers.*

Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from Montezuma Knitting Mill, Inc., after September 1, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these garments on or after September 1, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" contained in the form of "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to wholesalers by Montezuma Knitting Mill, Inc. under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjustment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after September 1, 1945, of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for garments, determined in accordance with paragraph (c) of this order. In Column C he shall list the difference between the amounts in Column A and Column B for the respective styles.

(e) *Statement which Montezuma Knitting Mill, Inc. must send to its retailers.* (1) On and after September 1, 1945, Montezuma Knitting Mill, Inc. shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following statement:

#### STATEMENT TO RETAILERS OF OPA ADJUSTMENT CHARGES

The Office of Price Administration has permitted us to add the adjustment charges set forth below to our ceiling prices on the following garments:

Style No.	Column A Old ceiling price	Column B OPA adjust- ment charges under MPR 221 and RSO 99
	Per dozen	Per dozen
12E-----	\$8.62½	\$0.43
8989E¹-HNLSA-----	5.75	.67½
8989E¹-SSK-----	5.50	.67½
8989E¹-HNLSA-----	5.50	.44
8989E¹-SSK-----	5.25	.44

¹ Sizes 6-16.

Please note that the OPA requires you to price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed in this notice). In determining your ceiling prices for these garments OPA has ruled that you must use as your "net cost" under MPR 580, or your "cost base" under MPR 210, the "old ceiling price" stated in Column A above for the garment being priced and you may not include the OPA adjustment charge set forth in Column C above in computing your ceiling prices for the garments under either of these regulations.

(2) The statement required to be sent to its retailers by Montezuma Knitting Mill, Inc., as provided in this paragraph (e), and containing the information applicable to the styles of garments included in the particular shipment, shall be transmitted with, or annexed to the invoice, billing or other statement of price accompanying every shipment made by Montezuma Knitting Mill, Inc. of any of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which Montezuma Knitting Mill, Inc., is permitted an adjustment of its ceiling price under this order shall be sent by Montezuma Knitting Mill, Inc. in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(f) *Garments to which the provision of this order shall apply.* This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by Montezuma Knitting Mill, Inc., on or after September 1, 1945, and before November 1, 1945.

(g) All requests for adjustment set forth in the application of Montezuma Knitting Mill, Inc., dated August 15, 1945, which are not expressly granted by this order are hereby denied.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16358; Filed, Aug. 31, 1945;  
10:41 a. m.]

[MPR 260, Order 1798]

AMB-A-TIP CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Amb-A-Tip Cigar Company, 1200 W. North Avenue, Baltimore 17, Md. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ameera.....	Bouquet.....	50	Per M \$90	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted

in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16348; Filed, Aug. 31, 1945;  
10:40 a. m.]

[MPR 580, Order 163]

STRAUS ROYER & STRASS, INC.

#### ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation No. 580, Order 109; establishing ceiling prices at retail for certain articles, Docket No. 6063-580-13-44.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 13 of Maximum Price Regulation No. 580; *It is ordered*:

(a) The following ceiling prices are established for sales by any seller at re-

tall of the following articles manufactured by Straus Royer & Strass, Inc., Elm Avenue and West 32d Street, Baltimore 11, Md., and described in the manufacturer's application dated April 11, 1945:

Article	Brand name	Manufacturer's ceiling price	Retail ceiling price
Play-cult. Shirts.....	American Gollar. Selling Black.....	\$5.25 1.31 1/4	\$5.05 2.25

(b) The retail ceiling price of an article manufactured for the first time after the effective date of this order and which is sold by the manufacturer at the same price as another article of the same type with the same brand or company name and for which a retail ceiling price has been established by paragraph (a) shall be the retail ceiling price listed for that other article in paragraph (a).

(c) The retail ceiling prices contained in paragraph (a) shall apply in place of the ceiling prices which have been or would otherwise be established under this or any other regulation.

(d) On and after October 1, 1945, Straus Royer & Strass, Inc., must mark each article listed in paragraph (a) with the retail ceiling price under this order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

(Sec. 13, MPR 580)  
OPA Price—\$——

On and after November 1, 1945, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 1, 1945, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the applicable regulation.

(e) On or before the first delivery to any purchaser for resale of each article listed in paragraph (a), the seller shall send the purchaser a copy of this order.

(f) Unless the context otherwise requires, the provisions of the applicable regulation shall apply to sales for which retail ceiling prices are established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 1, 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16355; Filed, Aug. 31, 1945;  
10:49 a. m.]

[MPR 183, Order 1]

HOUSEHOLD ALUMINUM COOKING UTENSILS

#### ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159a of Maximum Price Regulation No. 183, it is ordered:

**SECTION 1. Purpose of this order.** Household aluminum cooking utensils have been found to be a reconversion product in accordance with the standard set forth in § 1499.159e of Maximum Price Regulation No. 188. This order, issued under that section, specifies a price increase factor for the product and contains the specific pricing provisions which manufacturers, wholesalers and retailers are to follow in calculating their ceiling prices for sales of the product.

**SEC. 2. Manufacturers' ceiling prices.** Manufacturers may increase their f. o. b. prices to each class of purchaser, (except ultimate consumers) in effect on January 1, 1941, or which are specifically established for particular articles under the provisions of the second, third or fourth pricing method of Maximum Price Regulation No. 188, by 10% in the case of sheetware, and 3% in the case of castware, except that no increase may be made in a ceiling price which will have the effect of reducing the margin of a retailer (other than a chain store) below 30% of the retail ceiling price fixed in this order. No increase may be made in the manufacturer's prices for his sales to ultimate consumers.

Manufacturers may continue to sell at the prices established by Order No. 3827 under Maximum Price Regulation 188 when they are higher than the prices authorized by the preceding paragraph.

**SEC. 3. Wholesalers' ceiling prices.** Wholesalers may increase their prices to each class of purchaser in effect on January 1, 1941, or established by order under the General Maximum Price Regulation or Maximum Price Regulation No. 188, for articles for which the manufacturer has increased his prices as permitted by this order by 5% in the case of sheetware, and 1½% in the case of castware. However, no increase may be made in a price which will have the effect of reducing the margin of a retailer below 30% of the retail ceiling price fixed by this order.

**SEC. 4. Retailers' ceiling prices.** The retail ceiling prices for all articles of household aluminum cooking utensils shall be calculated by the manufacturer according to the rules in this section. The prices so calculated shall be indicated on each article in accordance with the rules in section 5, paragraph (a).

(a) *Retail ceiling prices for articles sold by manufacturers to chain stores and mail order houses.* A manufacturer shall compute the retail ceiling price of any household aluminum kitchen utensil which he sells to a chain store or mail order house as follows:

(1) Find his f. o. b. factory ceiling price for the sale of the article to that chain store or mail order house.

(2) Multiply that price by

\$1.60 in the case of sheetware sold to a chain store.

\$1.71 in the case of castware sold to a chain store.

\$1.48 in the case of sheetware sold to a mail order house.

\$1.58 in the case of castware sold to a mail order house.

(3) The result is the retail ceiling price for the sale of that article by a chain

store or mail order house. In addition, a mail order house may collect retail ceiling charges in accordance with its customary practice.

As used in this order:

"Chain store" means a store which is one of a group of ten or more commonly owned or controlled retail stores which, as a group have combined sales of over \$1,000,000 for the year 1944.

"Mail order house" means an establishment selling at retail, which makes offerings through catalogs or written price lists, receives orders and makes deliveries by mail.

(b) *Retail ceiling prices for articles sold by manufacturers to wholesalers and retailers other than chain stores or mail order houses.* A manufacturer shall compute the retail ceiling price of any household aluminum cooking utensil which he sells to a wholesaler or a retailer other than a chain store or mail order house as follows:

(1) Find his f. o. b. factory ceiling price for the sale of that article to the class of retailer in the zone in which his principal place of business is located, other than a chain store or mail order house, to which he sold the largest volume during 1941.

(2) Multiply that price by

1.60 in the case of sheetware.

1.71 in the case of castware.

(3) The result is the retail ceiling price for the sale of that article by a retailer other than a chain store or mail order house, but in no case may it be higher than the manufacturer's retail list price in effect on January 1, 1941 or March 31, 1942 if that list was different from the January 1, 1941 list.

(c) *Zone differentials.* In the case of a manufacturer whose principal manufacturing plant is in the eastern zone, the retail ceiling prices computed by the manufacturer in accordance with the above provisions are for retail sales in the eastern zone. An amount equal to 10% of those prices may be added to them for retail sales in the following states: Arizona, New Mexico, California, Washington, Oregon, Idaho, Nevada, Utah, Colorado, Wyoming, and Montana. These states comprise the western zone. The other states and the District of Columbia comprise the eastern zone.

**SEC. 5. General provisions—(a) Tagging.** (1) Before delivery of a household aluminum cooking utensil, the manufacturer shall tag, label, or stamp each article with the retail price established by this order. In the case of a manufacturer whose principal place of business is in the eastern zone, a tag, label or stamp in the following form with the retail ceiling price properly filled in shall be used:

OPA Retail Ceiling Price \$----- Plus 10% in the western zone

If the manufacturer's principal place of business is in the western zone, a tag, label, or stamp in the following form with the retail ceiling price properly filled in shall be used:

OPA Retail Ceiling Price \$-----

When a tag or label is used the words "Do Not Detach" shall also be imprinted.

(2) On and after October 1, 1945, no person shall display, offer for sale, sell, or deliver a household aluminum cooking utensil for which the retail ceiling price has been established by this order unless the article is tagged, labeled or stamped with the established retail price.

(b) *Terms, discounts and allowances.* The adjusted ceiling prices permitted by this order for sales by manufacturers are subject to a discount of 2% for payment in 10 days, net 30 days. Except as may be required otherwise by the provisions of sections 2 or 3 of this order, every seller must maintain all terms, discounts, allowances and other price differentials in effect on January 1, 1941, or which may have been subsequently established.

(c) *Notice.* At the time of, or prior to, the first invoice to a purchaser for, resale, each seller shall notify the purchaser the states in the western zone as specified in this order and manufacturers shall notify purchasers for resale at wholesale of the maximum resale prices and conditions established by this order for sales by the purchaser.

To enable manufacturers to comply with the pricing and tagging provisions of this order, persons who operate both as chain stores and as mail order houses are required to notify manufacturers the method by which they will distribute the articles they purchase. These notices may be given in any convenient form.

(d) *Definitions.* Unless the context requires otherwise, the definitions contained in § 1499.20 of the General Maximum Price Regulation and § 1499.163 of Maximum Price Regulation No. 188, whichever is applicable shall apply to all terms used herein.

(e) *Relationship of this order to the General Maximum Price Regulation and Maximum Price Regulation No. 188.* The provision of this order supersedes the provision of the General Maximum Price Regulation and Maximum Price Regulation No. 188, with respect to sales and deliveries for which ceiling prices are established by this order, only to the extent that they are inconsistent with the provisions of those regulations.

This order shall become effective on the 10th day of September 1945.

Issued this 31st day of August 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16406; Filed, Aug. 31, 1945; 4:16 p. m.]

[Gen. Order 67]

DELEGATION OF AUTHORITY TO REGIONAL ADMINISTRATORS TO ACT FOR PRICE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders 9250 and 9328, it is ordered:

(a) Each Regional Administrator within his region is hereby authorized to exercise the functions, duties, powers,



authority and discretion conferred upon the Price Administrator, for the purpose of issuing adjustable pricing orders or granting permission to enter into adjustable pricing agreements pursuant to § 1340.193 of Maximum Price Regulation No. 112, § 1340.203 of Maximum Price Regulation No. 120, § 1340.243 of Maximum Price Regulation No. 121 and § 1340.258 of Revised Maximum Price Regulation No. 122, where the Regional Administrator has the authority to act upon the request for a change in prices.

(b) Any order issued or other action taken by any Regional Administrator pursuant to this delegation of authority shall have the same force and effect as if issued or taken by the Price Administrator.

This order shall become effective September 10, 1945.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16465; Filed, Sept. 4, 1945;  
11:48 a. m.]

[MPR 188, Amdt. 12 to 2d Rev. Order A-3]  
CONSUMERS' GOODS SOLD FOR COMMERCIAL,  
PROFESSIONAL, INDUSTRIAL, OR INSTITUTIONAL USE

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, Second Revised Order A-3 under § 1499-159b of Maximum Price Regulation No. 188 is amended to read as follows:

**SECTION 1. Scope of this order.** In order to remove price impediments to supply in certain cases when the cost of living is not affected, this order provides for the adjustment of maximum prices for those manufacturers who produce articles for which maximum prices are fixed under Maximum Price Regulation No. 188 of a type which are not customarily ultimately sold for household use either as a finished good or as a component of a finished good but, on the contrary, are ultimately sold only for commercial, professional, industrial, or institutional use. An adjustment will be allowed under this order only if it appears that the increase in price to the ultimate user resulting from the adjustment will be an inconsequential cost factor in the operation of his business.

**Sec. 2. When a manufacturer qualifies under this order.** If the manufacturer produces an article which qualifies under section 1, he may obtain an adjustment in his maximum prices for such an article if:

(a) His entire operation is profitable, but his maximum price for the particular article or articles on which he seeks an adjustment is less than his unit manufacturing cost plus his packing cost, and shipping costs when delivered prices are quoted or freight is allowed or equalized; or

(b) His entire operation is being conducted at a loss or will be so within 90 days and his maximum price for the par-

ticular article or articles on which he seeks adjustment is less than his total cost to make and sell the article or articles.

**Sec. 3. Amount of adjustment which will be granted.** Any adjusted manufacturer's maximum price established under this order will not exceed the following:

(a) If the manufacturer's entire operation is profitable, an amount sufficient to cover his unit manufacturing cost plus his packing cost, and his shipping costs when delivered prices are quoted or freight is allowed or equalized; or

(b) If a manufacturer's entire operation is at a loss or will be so within 90 days, an amount sufficient to cover his total unit cost to make and sell the article.

**Sec. 4. Manufacturers of a line of articles.** In the case of a manufacturer who makes a line of articles with a well established pattern of price differentials between each of the models in the line, and whose price structure and merchandising plan would be seriously disturbed by price adjustments on the basis of the individual cost of the articles for which he has qualified for adjustment, an equivalent uniform percentage adjustment of the prices of all the articles in the line may be made.

**Sec. 5. Maximum prices for sales by persons other than the manufacturer.** When an adjustment is granted to the manufacturer and the article is not sold by him directly to the user, adjustments may be made in the maximum prices of intermediate sellers. Where adjustments are made, they will generally be made on the basis of allowing the purchaser for resale to add to his maximum price the dollar and cent amount of the adjustment which has been allowed the manufacturer, although in particular cases other methods of dealing with the adjustment may be used in the light of the ability of the purchasers for resale to sustain the increase in cost without changing their maximum prices.

**Sec. 6. Definitions.** The term "unit manufacturing cost" means the total of direct materials, direct labor, and reasonable manufacturing expenses or factory overhead, applicable to each unit of the article.

The term "total unit cost" means the total of unit manufacturing cost and reasonable general, administrative, and selling expenses applicable to the article, excluding income and excess profit taxes.

Depreciation included in cost shall be at rates which do not exceed those approved by the Bureau of Internal Revenue. Expenses not related to the manufacture and sale of the article will be excluded.

**Sec. 7. How to apply under this order.** Applications for adjustment under this order must be filed in accordance with the provisions of Article III of Revised Procedural Regulation No. 1, and should be addressed to the Adjustment Section, Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C.

**Sec. 8. Applications filed before September 9, 1945.** The provisions of this order as they were before September 9, 1945, apply to applications under this order which were filed before that date.

**Sec. 9. Information which should be submitted with the application.** Any person making application under this order for an adjustment should submit with his application the following information:

(a) A description and identification of each article for which price adjustment is requested, including, where possible, specifications, photographs or sketches, and catalogue or price list number.

(b) The current price list of the manufacturer showing maximum list price and trade discounts, or maximum net prices to each class of customer, and all other discounts, terms, and allowances offered for each article or line of articles for which adjustment is requested. Where such current prices differ from March 1942 prices all changes should be explained and reference made to specific orders or authorizations of the Office of Price Administration.

(c) If sales are made to more than one class of purchaser and different trade discounts or net prices are offered to each class, the applicant must state the anticipated proportion of unit sales to each class of customer for the next 90 day period of each article for which adjustment is requested.

(d) For each article for which price adjustment is requested, the unit cost data as of the date when ceiling price was set, and as of the date of the application, listing:

(1) The net unit cost purchase price less discounts for each of those direct materials which together account for at least 90% of the total material cost. The remainder may be shown as "all other direct materials."

(2) The unit cost for each of the direct labor operations which together account for at least 90% of the direct labor cost. The remainder may be shown as "All other direct labor". Supervisory and other indirect labor should be excluded from these costs and shown as part of the factory overhead. All wage rate or other labor cost increases incurred since October 3, 1942 must be substantiated by reference to specific War Labor Board actions approving such increases.

(3) Unit factory overhead cost, showing how it is computed. Indicate by name the expense accounts considered as factory overhead. Show packing and shipping expense separately.

(4) If the applicant's entire operation is at a loss, the selling, general and administrative expense per unit, showing the computation of each of these costs. Indicate by name the expense accounts included in the selling, general and administrative groups.

Whenever the applicant is currently operating at a level substantially lower than his normal volume, the overhead items included in "manufacturing cost" and "total cost" will be adjusted to reasonable levels based upon a normal rate of operations.

(e) An overall profit and loss statement for the two most recent calendar or



fiscal years of the manufacturer's operation, in the detail customarily used by him, and quarterly statements for the period from the closing date of the last statement to the date of filing of the application. These statements must show separately all salaries or drawings of officers, partners, or a sole proprietor included in the expense accounts.

(f) If the application is made on the basis of an unprofitable operation within 90 days, a projected profit and loss statement, in the detail customarily used by the applicant, together with an explanation of the basis for forecasting a loss within the next 90 days.

(g) The manufacturer's most recent balance sheet.

(h) Where sales of the articles for which adjusted maximum prices are requested are made to more than one class of customer, and different trade discounts or net prices apply to each class, there must also be submitted a statement of the proportion of unit sales of each article to each class of customer during the period covered by the most recent profit and loss statement.

(i) For each article for which price adjustment is requested the number of production units per day, month, or otherwise, upon which unit cost data were computed as of the date ceiling prices were fixed, and the date of the application. Significant production changes should be fully explained.

In those instances where it is not possible for the applicant to furnish the required data, a statement must be furnished explaining why the particular information cannot be submitted. The applicant need not file with his application any required price lists or financial data which were previously submitted to the Office of Price Administration, Washington, D. C. Reference should be made in such cases to the date the information was submitted, and to the particular unit to which it was directed.

This amendment will become effective on the 9th day of September 1945.

NOTE: Approval of the reporting requirements of this amendment has been waived by the Bureau of the Budget.

Issued this 4th day of September 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-16481; Filed, Sept. 4, 1945;  
11:51 a. m.]

#### Regional and District Office Orders.

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 24, 1945.

##### REGION II

Newark Order 7-F, Amendment 17, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:30 a. m.

Trenton Order 12-F, Amendment 21, covering fresh fruits and vegetables in certain areas in New Jersey. Filed 9:31 a. m.

##### REGION III

Charleston Order 7-F, Amendment 26, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:32 a. m.

Charleston Order 9-F, Amendment 26, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:33 a. m.

Charleston Order 10-F, Amendment 26, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:33 a. m.

Charleston Order 11-F, Amendment 26, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:33 a. m.

Charleston Order 14-F, Amendment 8, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:33 a. m.

Charleston Order 15-F, Amendment 23, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:34 a. m.

Charleston Order 16-F, Amendment 22, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 9:34 a. m.

Charleston Order 17-F, Amendment 22, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 9:34 a. m.

##### REGION IV

Columbia Order 7-F, Amendment 13, covering fresh fruits and vegetables in the entire state of South Carolina. Filed 9:31 a. m.

Savannah Adopting Order 6-0, Amendment 2, covering eggs in certain counties in Georgia. Filed 9:31 a. m.

##### REGION V

Fort Worth Order 13-F, Amendment 3, covering fresh fruits and vegetables in Tarrant County, Texas. Filed 9:22 a. m.

Fort Worth Order 13-F, Amendment 4, covering fresh fruits and vegetables. Filed 9:22 a. m.

Fort Worth Order 14-F, Amendment 3, covering fresh fruits and vegetables in Taylor County, Texas. Filed 9:22 a. m.

Fort Worth Order 14-F, Amendment 4, covering fresh fruits and vegetables. Filed 9:22 a. m.

Fort Worth Order 15-F, Amendment 3, covering fresh fruits and vegetables in Tom Green County, Texas. Filed 9:22 a. m.

Fort Worth Order 15-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:22 a. m.

Fort Worth Order 16-F, Amendment 3, covering fresh fruits and vegetables in the McLennan County, Texas, Area. Filed 9:23 a. m.

Fort Worth Order 16-F, Amendment 4, covering fresh fruits and vegetables. Filed 9:23 a. m.

Fort Worth Order 17-F, Amendment 3, covering fresh fruits and vegetables in the Wichita County, Texas, Area. Filed 9:23 a. m.

Fort Worth Order 17-F, Amendment 4, covering fresh fruits and vegetables. Filed 9:23 a. m.

Fort Worth Order 18-F, Amendment 1, covering fresh fruits and vegetables. Filed 9:23 a. m.

Houston Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Texas. Filed 9:32 a. m.

Houston Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain Jefferson and Orange Counties, Texas. Filed 9:32 a. m.

Houston Order 6-F, Amendment 1, covering fresh fruits and vegetables. Filed 9:32 a. m.

Kansas City District Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Kansas and Missouri. Filed 9:27 a. m.

Kansas City Order 4-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Kansas and Missouri. Filed 9:27 a. m.

Little Rock Order 8-F, Amendment 4, covering fresh fruits and vegetables in Pulaski County, Arkansas. Filed 9:27 a. m.

Little Rock Order 10-F, Amendment 4, covering fresh fruits and vegetables in Garland County, Arkansas. Filed 9:27 a. m.

Little Rock Order 11-F, Amendment 4, covering fresh fruits and vegetables in Sebastian and Crawford Counties, Arkansas. Filed 9:28 a. m.

New Orleans Order 3-F, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:28 a. m.

New Orleans Order 3-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:28 a. m.

Shreveport Order 4-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:29 a. m.

Shreveport Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:29 a. m.

Tulsa Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:29 a. m.

Tulsa Order 10-F, Amendment 1, covering fresh fruits and vegetables in certain areas in Oklahoma. Filed 9:29 a. m.

Wichita Order 5-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Kansas. Filed 9:24 a. m.

##### REGION VI

North Platte Order 1-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 9:24 a. m.

North Platte Order 1-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Nebraska. Filed 9:25 a. m.

Omaha Order 10-F, Amendment 23, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 9:25 a. m.

Omaha Order 11-F, Amendment 24, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 9:25 a. m.

##### REGION VII

Nevada Order 11-F, Amendment 3, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 9:29 a. m.

Nevada Order 13-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:29 a. m.

Nevada Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:30 a. m.

Nevada Order 15-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Nevada. Filed 9:30 a. m.

Wyoming Order 49, Amendment 9, covering dry groceries in the Rock Springs Area. Filed 9:25 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-16500; Filed, Sept. 4, 1945;  
11:47 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register August 27, 1945.

##### REGION IV

Montgomery Order 21-F, Amendment 43, covering fresh fruits and vegetables in Montgomery County. Filed 10:06 a. m.

Montgomery Order 22-F, Amendment 44, covering fresh fruits and vegetables in Houston County. Filed 10:06 a. m.

Montgomery Order 24-F, Amendment 41, covering fresh fruits and vegetables in Dallas County. Filed 10:06 a. m.

##### REGION V

New Orleans Order 3-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Louisiana. Filed 9:56 a. m.

## Region VI

Des Moines Order 1-F, Amendment 76, covering fresh fruits and vegetables in the Des Moines Area in Polk County. Filed 9:56 a. m.

Des Moines Order 3-F, Amendment 24, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:56 a. m.

Duluth-Superior Order 13, Amendment 1, covering dry groceries in the Duluth, Minnesota Area. Filed 9:56 a. m.

La Crosse Order 1-F, Amendment 84, covering fresh fruits and vegetables in certain areas in Minnesota and Wisconsin. Filed 9:55 a. m.

La Crosse Order 3-F, Amendment 79, covering fresh fruits and vegetables in Eau Claire and Chippewa Falls, Wisconsin. Filed 9:54 a. m.

La Crosse Order 5-F, Amendment 78, covering fresh fruits and vegetables in Rochester, Minnesota. Filed 9:53 a. m.

Milwaukee District Order 8-F, Amendment 22, covering fresh fruits and vegetables in Dane County, Wisconsin. Filed 10:00 a. m.

Milwaukee District Order 9-F, Amendment 22, covering fresh fruits and vegetables in the Sheboygan and Fond Du Lac Counties, Wisconsin. Filed 10:00 a. m.

Milwaukee District Order 11-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 10:00 a. m.

Peoria Order 7-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:05 a. m.

Peoria Order 8-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:05 a. m.

Peoria Order 9-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:05 a. m.

Peoria Order 10-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Illinois. Filed 10:05 a. m.

Quad-Cities Order 2-F, Amendment 51, covering fresh fruits and vegetables in certain areas in Illinois and Iowa. Filed 10:05 a. m.

## Region VII

Cheyenne Order 57, Amendment 1, covering dry groceries in the Sweetwater and Carbon County Area. Filed 10:04 a. m.

Wyoming Order 9-W, Amendment 7, covering dry groceries in the Rock Springs Area. Filed 9:50 a. m.

Wyoming Order 11-W, Amendment 2, covering dry groceries in the Cheyenne Area. Filed 9:50 a. m.

Wyoming Order 51, Amendment 2, covering dry groceries in the Cheyenne Area. Filed 10:04 a. m.

## Region VIII

Los Angeles Order I-W, Amendment 6, covering dry groceries. Filed 9:59 a. m.

Los Angeles Order 12, Amendment 7, covering dry groceries in the Los Angeles Area. Filed 9:57 a. m.

Los Angeles Order 12, Amendment 8, covering dry groceries in the Los Angeles Area. Filed 9:57 a. m.

Los Angeles Order 13, Amendment 5, covering dry groceries in the San Bernardino Area. Filed 9:57 a. m.

Los Angeles Order 14, Amendment 5, covering dry groceries in the Santa Barbara-Ventura Area. Filed 9:57 a. m.

Los Angeles Order 15, Amendment 5, covering dry groceries in the San Luis Obispo Area. Filed 9:58 a. m.

Los Angeles Order 16, Amendment 5, covering dry groceries in the Los Angeles Area. Filed 9:58 a. m.

Los Angeles Order 17, Amendment 5, covering dry groceries in the Los Angeles Area. Filed 9:58 a. m.

Portland Order 5-F, Amendment 34, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:53 a. m.

Portland Order 6-F, Amendment 35, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:53 a. m.

Portland Order 7-F, Amendment 34, covering fresh fruits and vegetables in Klamath Falls, Oregon. Filed 9:53 a. m.

Portland Order 8-F, Amendment 34, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:52 a. m.

Portland Order 9-F, Amendment 34, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:53 a. m.

Portland Order 10-F, Amendment 33, covering fresh fruits and vegetables in certain cities in Washington. Filed 9:53 a. m.

Portland Order 12-F, Amendment 31, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 13-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 14-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 15-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:52 a. m.

Portland Order 16-F, Amendment 24, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:51 a. m.

Portland Order 17-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:51 a. m.

Portland Order 21-F, Amendment 21, covering fresh fruits and vegetables in Pendleton, Oregon. Filed 9:51 a. m.

Portland Order 22-F, Amendment 21, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:00 a. m.

Portland Order 27-F, Amendment 19, covering fresh fruits and vegetables in certain cities of La Grande and Baker, Oregon. Filed 9:59 a. m.

Portland Order 28-F, Amendment 19, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:59 a. m.

Portland Order 29-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:59 a. m.

Portland Order 30-F, Amendment 11, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:59 a. m.

Portland Order 31-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Oregon. Filed 10:03 a. m.

Seattle Order 1-W, Amendment 14, covering dry groceries in certain areas in Washington. Filed 10:10 a. m.

Seattle Order 6-F, Amendment 49, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:50 a. m.

Seattle Order 7-F, Amendment 45, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:50 a. m.

Seattle Order 8-F, Amendment 42, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:49 a. m.

Seattle Order 9-F, Amendment 49, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:49 a. m.

Seattle Order 10-F, Amendment 41, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:49 a. m.

Seattle Order 15-F, Amendment 40, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 9:57 a. m.

Seattle Order 32, Amendment 7, covering dry groceries in certain areas in Washington. Filed 10:02 a. m.

Seattle Order 33, Amendment 8, covering dry groceries in certain areas in Washington. Filed 10:02 a. m.

Spokane Order 8-F, Amendment 23, covering fresh fruits and vegetables in Spokane County, Washington. Filed 10:03 a. m.

Spokane Order 9-F, Amendment 23, covering fresh fruits and vegetables in Kootenai County, Idaho. Filed 10:03 a. m.

Spokane Order 10-F, Amendment 27, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho. Filed 10:03 a. m.

Spokane Order 11-F, Amendment 27, covering fresh fruits and vegetables in Latah County, Idaho and Whitman County, Washington. Filed 10:02 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 45-16591; Filed, Sept. 4, 1945; 11:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

B. J. JOHNSON & Co.

## ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of August, A. D. 1945.

In the matter of Bernard J. Johnson doing business as B. J. Johnson & Company, Rapid City, South Dakota.

A proceeding having been instituted pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether to suspend or revoke the registration of B. J. Johnson & Company as an over-the-counter broker and dealer;

A private hearing having been held after due notice, the Commission being duly advised, having suspended the registration of said B. J. Johnson & Company and having this day issued its findings and opinion herein; on the basis of said findings and opinion,

It is ordered, That the registration of B. J. Johnson & Company as a broker and dealer be and it hereby is revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 45-16437; Filed, Sept. 1, 1945; 11:23 a. m.]

[File No. 1-342]

RED BANK OIL CO.

## ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of August, A. D. 1945.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Red Bank Oil Company common stock, \$1 par value should be suspended or withdrawn; File No. 1-342.

I. It appearing to the Commission:

That Red Bank Oil Company, a corporation incorporated in the State of Maine on November 17, 1917, is the issuer of Common Stock, \$1 Par Value; and

That said Red Bank Oil Company registered its Common Stock No Par Value on the New York Curb Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about April 9, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934 and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on or about July 1, 1935, and remaining in effect to and including the date hereof; and

That said Red Bank Oil Company registered additional shares of its Common Stock, \$1 Par Value (so designated as of February 27, 1942) on the New York Curb Exchange by filing with the Exchange and with the Commission on or about April 28, 1943, an application on Form 8-A pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934 and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on or about July 9, 1943, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specifically prescribed, and that no other form was or is specified for use by the said Red Bank Oil Company; and

II. The Commission having reasonable cause to believe:

That the said Red Bank Oil Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rule X-13A-2 promulgated thereunder, in that the annual reports on Form 10-K as amended filed by said Red Bank Oil Company for the fiscal years ended December 31, 1940, December 31, 1941, December 31, 1942, December 31, 1943 and December 31, 1944, contain statements which at the time and in the light of the circumstances were false and misleading with respect to material facts, or omit material facts required to be stated therein and material facts necessary to make the statements therein not misleading, as more particularly specified in the following numbered or named items of said annual reports:

*Item 1.* The adequacy and accuracy of the response to part (b) of this item in annual reports as amended for the years ended December 31, 1940, 1941, 1942, 1943 and 1944 in view of various transactions in the registrant's securities by the Bennett interests.

The adequacy and accuracy of the response to part (a) of this item in the annual report for the year ended December 31, 1944, in respect of financial statements for subsidiary companies.

*Item 3.* The adequacy and accuracy of the response to this item in annual reports as amended for the years ended December 31, 1940, 1941, 1942, 1943 and 1944 in view of various transactions in the registrant's securities by the Bennett interests.

*Item 4.* The adequacy and accuracy of the response to this item in annual reports as amended for the years ended December 31, 1943 and 1944.

*Item 7.* The adequacy and accuracy of the response to this item in the annual reports as amended for the years ended December 31, 1943 and 1944 with respect to changes in the character of the business done by the registrant and its subsidiaries.

*Item 12.* The adequacy and accuracy of the response to this item in annual reports as amended for the years ended December 31, 1943 and 1944 in view of various transactions in the registrant's securities by the Bennett interests.

*Financial statements.* The adequacy and accuracy of the financial statements and accountants' representations with respect to:

1. The accountants' certificates required in the annual reports for the years ended December 31, 1943 and December 31, 1944

2. The balance sheets of the registrant and consolidation at December 31, 1943 and of the registrant at December 31, 1944 in respect of:

- (a) Accounts receivable.
- (b) The basis of determining inventory amounts.
- (c) The classification of investments.
- (d) The nature of obligations for subsidiaries acquired.
- (e) Organization expense.
- (f) Liabilities secured by liens.
- (g) Liabilities to directors, officers, principal stockholders and affiliates.
- (h) Earned and other surplus.
- (i) Failure to disclose a contingent liability for sales of securities not registered under the Securities Act of 1933.
- (j) Failure to disclose profits from transactions in the registrant's securities and contingent claims for amounts recoverable pursuant to Section 16 (b) of the Securities Exchange Act of 1934.

3. The consolidated balance sheet at December 31, 1943 in respect of:

- (a) The excess of investments over underlying net assets of subsidiaries.
- (b) Renegotiable profits on war contracts.
- (c) An inventory increase (of \$64,606.31).
- (d) The principle of inclusion and exclusion with respect to subsidiaries in consolidation.

4. The profit and loss statements of the registrant and consolidation for the year ended December 31, 1943 in respect of:

- (a) Gross operating income.
- (b) Inventories.
- (c) Non-operating income.
- (d) Depletion provisions.
- (e) Provisions for Federal income taxes.
- (f) The policy followed with respect to depletion, depreciation and assets disposed of.

5. Failure to file consolidated financial statements or separate financial statements of subsidiary companies in the annual report for the year ended December 31, 1944.

6. The balance sheet of a subsidiary, Seatex Oil Company, at October 31, 1943, in respect of:

- (a) Depletion reserves.
- (b) Liabilities due to officers, directors and affiliated persons.
- (c) Surplus.

7. The profit and loss statements of a subsidiary, Seatex Oil Company for the year ended October 31, 1943, in respect of:

- (a) Depletion provisions.
- (b) The policy followed with respect to depletion, depreciation and assets disposed of; and.

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934 as amended;

*It is ordered,* Pursuant to section 10 (a) (2) of said act, that a public hearing be held to determine whether Red Bank Oil Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the rules, regulations and forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, \$1 Par Value of the said Red Bank Oil Company on said New York Curb Exchange;

*It is further ordered,* Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, Richard Townsend, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

*It is further ordered,* That the taking of testimony in this hearing begin on the 10th day of September, 1945, at 10:00 a. m. eastern war time at the Office of the Securities and Exchange Commission, Room 318, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By direction of the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16435; Filed, Sept. 1, 1945; 11:27 a. m.]

[File Nos. 54-75, 70-726]

COMMONWEALTH AND SOUTHERN CORP.  
(DELAWARE)

#### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of August, A. D. 1945.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company.

Notice is further given that any interested person may, not later than September 15, 1945, at 5:30 p. m., e. w. t.,

request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of the Commission, for a statement of the transaction therein proposed which is summarized below:

Commonwealth proposes, subject to the approval of the Commission, to pay a dividend of \$1.25 per share, an aggregate of \$1,852,500, on the outstanding shares of its preferred stock. The dividend was declared on August 28, 1945, and is payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day after such approval. The pending application is similar in substance to three applications approved by the Commission in 1943, four applications approved in 1944 and two applications approved in 1945, covering proposed distributions to preferred stockholders (see Holding Company Act Release Nos. 4383, June 24, 1943; 4560, September 13, 1943; 4709, November 26, 1943; 4933, March 8, 1944; 5084, June 3, 1944; 5268, September 5, 1944; 5508, December 21, 1944; 5659, March 12, 1945; and 5833, May 30, 1945).

Applicant considers sections 11 and 12 (c) of the act and Rule U-46 as applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16438; Filed, Sept. 1, 1945;  
11:28 a. m.]

[File Nos. 54-106, 54-107, 70-1111]

BUFFALO, NIAGARA AND EASTERN POWER  
CORP. AND NIAGARA HUDSON POWER  
CORP.

INTERIM ORDERS PERMITTING DECLARATIONS  
TO BECOME EFFECTIVE AND GRANTING AP-  
PLICATION FOR EXEMPTION FROM COMPETI-  
TIVE BIDDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of August 1945.

In the matters of Buffalo, Niagara and Eastern Power Corporation; File No. 54-106; Niagara Hudson Power Corporation, File Nos. 54-107; 70-1111.

Niagara Hudson Power Corporation (Niagara Hudson), a subsidiary of The United Corporation, a registered holding company, and Buffalo, Niagara and East-

ern Power Corporation, a subsidiary of Niagara Hudson, having each filed applications and declarations and amendments thereto for approval of plans filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 proposing, among other things, (1) the sale by Niagara Hudson, pursuant to the competitive-bidding requirements of Rule U-50, of all of its holdings of the stock of its subsidiary, Central Hudson Gas and Electric Corporation, consisting of 445,738 shares of common stock; and (2) the sale of all of its holdings of the preferred stock of its subsidiary, Central New York Power Corporation, consisting of 41,515<sup>7/8</sup> shares, as to which an exemption from the competitive bidding requirements of Rule U-50 is requested; and

Niagara Hudson having requested that the Commission enter interim orders at this time relating solely to the proposed sale at competitive bidding of its holdings of the common stock of Central Hudson Gas and Electric Corporation and to the requested exemption from the competitive bidding requirements of Rule U-50 in respect of the sale of its holdings of the preferred stock of Central New York Power Corporation; and

Public hearings having been held after appropriate notice on the amended plans filed pursuant to section 11 (e) of the act and on the request for exemption from competitive bidding; and

The Commission having considered the record and having entered its findings and opinion herein;

It is ordered, That pursuant to the applicable provisions of the act the aforesaid declaration solely in regard to the sale by Niagara Hudson of its holdings of the common stock of Central Hudson Gas and Electric Corporation be, and hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

(1) That the proposed sale shall not be consummated until the results of competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for the imposition of such conditions; and

(2) That jurisdiction be further reserved over the payment of any fees or expenses including the fee of counsel for the successful bidders;

Niagara Hudson having requested that the order of the Commission herein conform to the pertinent requirements of sections 371 and 1808 (f) of the Internal Revenue Code, as amended, and contain the recitals and specifications described therein; and it appearing to the Commission that applicant's request in this respect should be granted;

It is further ordered and recited, That the sale by Niagara Hudson of all of its holdings of the stock of Central Hudson Gas and Electric Corporation, consisting of 445,738 shares of common stock is necessary and appropriate to effectuate

the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the application by Niagara Hudson requesting an exemption from the competitive bidding requirements of Rule U-50 with respect to the proposed sale of its holdings of the preferred stock of Central New York Power Corporation be, and hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16436; Filed, Sept. 1, 1945;  
11:23 a. m.]

[File Nos. 70-1122, 70-1123]

NEW YORK STATE ELECTRIC & GAS CORP.  
ET AL.

ORDER GRANTING APPLICATION AND PERMIT-  
TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of August, A. D. 1945.

In the matter of New York State Electric & Gas Corporation, NY PA NJ Utilities Company; File No. 70-1122; Iroquois Gas Corporation, File No. 70-1123.

New York State Electric & Gas Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder regarding the sale by it to Iroquois Gas Corporation, a subsidiary of National Fuel Gas Company, a registered holding company, of its natural gas production plants and transmission and distribution facilities located in the Village of Lancaster, in the Town of Lancaster, and in the Town of Alden, all in the State of New York, for a base consideration of \$125,000 in cash, plus the reasonable value of all additions and betterments installed in connection with the gas plants between February 26, 1945, and the date of the closing of the transaction, and subject to the proration of taxes, assessments, royalties, and rents as of the date of closing; and

Iroquois Gas Corporation having filed an application pursuant to section 10 of the act regarding the acquisition of said utility assets; and

The New York Public Service Commission having granted its consent to New York State Electric & Gas Corporation to transfer said utility assets to Iroquois Gas Corporation, by reason of which consent there is some question as to whether the acquisition by Iroquois Gas Corporation is subject to the provisions of section 10 of the act or is exempt therefrom by virtue of section 9 (b) (1) of the act; and

Said declaration and application having been filed on August 7, 1945, and August 17, 1945, respectively, and notice of said filings having been given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hear-



ing with respect to said declaration and application within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The above-named parties having requested that said declaration and application become effective and be granted on or before September 1, 1945; and

The Commission finding in respect of the application of New York State Electric & Gas Corporation that the provisions of section 12 of the act and Rule U-44 promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder; and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective; and

The Commission deeming it unnecessary to resolve the question as to whether the acquisition by Iroquois Gas Corporation is exempt from the provisions of section 10 of the act, since, in any event, it is of the opinion that the acquisition by Iroquois Gas Corporation will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of the act, and being satisfied that the effective date of such declaration, and the date of granting such application should be advanced:

*It is hereby ordered*, That, pursuant to Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, the aforesaid declaration be, and hereby is, permitted to become effective, and the aforesaid application be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-16434; Filed, Sept. 1, 1945;  
11:27 a. m.]

[File Nos. 70-1134, 70-1135, 59-12]

AMERICAN POWER & LIGHT CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING  
AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of August, A. D. 1945.

In the matter of American Power & Light Company, File No. 70-1134; American Power & Light Company and Electric Power & Light Corporation, File No. 70-1135; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, et al., respondents; File No. 59-12.

The Commission having, on August 22, 1942, entered orders pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 requiring that the existence of American Power & Light Company ("American"), and Electric Power & Light Corporation ("Electric"), both registered holding company subsidiaries of Electric Bond and Share Company ("Bond and Share"), also a

registered holding company, be terminated and that said companies be dissolved, and that American and Electric proceed with due diligence to submit to the Commission a plan or plans for the prompt dissolution of American and Electric pursuant to section 11 (b) (2) of the act (File No. 59-12, Holding Company Act Release No. 3750):

Notice is hereby given that an application and declaration have been filed by American and that a joint application and declaration has been filed by American and Electric with this Commission pursuant to the Public Utility Holding Company Act of 1935. American has designated sections 6 (a), 7, 9 (a), 10, 12 (d) and 12 (f) of the act and Rules U-23, U-43 and U-44 thereunder as being applicable to the transactions proposed in its application and declaration. American and Electric have designated sections 9 (a), 10, 12 (b) and 12 (d) of the act and Rules U-43, U-44 and U-45 thereunder as being applicable to the transactions proposed in their joint application and declaration.

All interested persons are referred to said documents which are on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

American proposes to organize a new Texas corporation to be known as Texas Utilities Company ("Texas Utilities") to acquire the common stocks of Texas Power & Light Company ("Texas Power") and Texas Electric Service Company ("Texas Electric"), subsidiary companies of American, and Dallas Power & Light Company ("Dallas"), a subsidiary of Electric.

American proposes to transfer to Texas Utilities the common stocks of Texas Power and Texas Electric held by American consisting of 2,500,000 shares (all) of the common stock of Texas Power, 1,704,950 shares (all but 50 shares) of the common stock of Texas Electric, together with options to purchase the said 50 shares of common stock of Texas Electric, and \$17,400,000 in cash in exchange for 2,000,000 shares (all) of the no par common stock of Texas Utilities.

American and Electric propose that, pursuant to a purchase and sale agreement, Electric will sell, and American will cause Texas Utilities to purchase, 248,433 shares of the no par common stock of Dallas, owned by Electric, for a cash purchase price of \$17,350,000 (\$69.84 per share). Dallas has presently outstanding 273,000 shares of such common stock, and the joint filing states that, if the proposed purchase is approved, American will cause Texas Utilities to offer to purchase, at an equivalent price per share, the shares of common stock of Dallas held by others than Electric.

American in its filing states that it unconditionally agrees and stipulates that, if the Commission enters an order or orders granting the applications and permitting the declarations to become effective, American will within one year from the date of said order or orders (unless the Commission extends such time), sever its relations with Texas Utilities and with Texas Power and Texas Electric and Dallas, which are to be sub-

sidaries of Texas Utilities, and irrevocably and finally dispose of all of its interest, direct or indirect, therein, either by distribution among American's stockholders or by sale, or otherwise, in a manner found by the Commission to be appropriate.

American undertakes that Texas Utilities, upon its organization, shall execute an appropriate instrument joining in this stipulation and agreement and containing an undertaking to perform any acts on its part which may be necessary or appropriate to carry out the terms thereof.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to said applications and declarations, and that said applications should not be granted, nor said declarations become effective, except pursuant to further order of the Commission; and

It further appearing to the Commission that the said applications and declarations are related and involve common questions of law and fact and should be consolidated and heard together, and that the proceedings with respect to said applications and declarations are related to, and involve, common questions of law and fact with the issues in the proceedings instituted by the Commission pursuant to section 11 (b) of the act (File No. 59-12) and should be consolidated therewith for consideration by the Commission:

*It is ordered*, That the proceedings on the said applications and declarations herein and the proceedings instituted by the Commission pursuant to section 11 (b) of the act (File No. 59-12) be, and they hereby are, consolidated and that evidence adduced in said proceedings instituted by the Commission pursuant to section 11 (b) of the act shall be incorporated in, and be deemed to be part of, the record in the consolidated proceedings herein, without prejudice, however, to the Commission's right, upon its own motion or the motion of any interested party, to strike such portions of the record in the proceedings pursuant to section 11 (b) as may be deemed irrelevant to the issues raised with respect to the applications and declarations herein. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any of said matters, to order a separate hearing concerning such matter, to close the record with respect to any of the matters, or to take action on any of the matters prior to the closing of the record on any other matter.

*It is further ordered*, That a hearing be held on September 12, 1945 at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before September 10, 1945.



*It is further ordered,* That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That the Secretary of the Commission shall serve by registered mail a copy of this order on the applicants and declarants herein and on the City Councils of the Cities of Dallas, Fort Worth, Waco, Wichita Falls and Tyler, Texas; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

*It is further ordered,* That, without limiting the scope of the issues presented in the proceedings, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed acquisitions by Texas Utilities and American meet the requirements of the applicable provisions of the act, particularly section 10 thereof.

(2) Whether the proposed issue and sale of the common stock of Texas Utilities Company meet the applicable standards of the act, particularly section 7 thereof.

(3) Whether the price to be paid by Texas Utilities and to be received by Electric for the common stock of Dallas is fair and reasonable and whether the other terms of the proposed sale and purchase agreement between American and Electric meet the applicable standards of the act, particularly section 12 thereof.

(4) Whether the proposed accounting entries meet the applicable standards of the act.

(5) Whether the fees, commissions, or other remunerations to be paid in connection with the proposed transactions are reasonable.

(6) Whether it is necessary or appropriate to impose terms or conditions with respect to the proposed transactions in the public interest or for the protection of investors or consumers, and, if so, what terms and conditions should be imposed.

(7) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(8) Whether the proposed transactions are necessary or appropriate to effectuate the provision of section 11 (b) of the act, and whether the proposed transactions constitute steps in compliance with the orders of the Commission, dated August 22, 1942, requiring the dissolution of American and Electric.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-16423; Filed, Sept. 1, 1945;  
11:26 a. m.]

[File Nos. 814-15, 814-44 to 814-49, inclusive]

F-I-F PLAN CORP. ET AL.

NOTICE OF AND ORDER FOR HEARING; AND  
ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of August, A. D. 1945.

In the matter of F-I-F Plan Corporation, File No. 814-15; First Investors Shares Corporation, File No. 814-44; John D. Case, File No. 814-45; Horace G. Powell, File No. 814-46; Rowland A. Robbins, File No. 814-47; John L. Thomas, File No. 814-48; Alvin J. Willins, File No. 814-49.

Applications having been filed by F-I-F Plan Corporation, First Investors Shares Corporation, John D. Case,

Horace G. Powell, Rowland A. Robbins, John L. Thomas and Alvin J. Willins, under and pursuant to the provisions of section 9 (b) of the Investment Company Act of 1940, for orders exempting said applicants from the provisions of section 9 (a) of said act; and

The Commission having granted to each of said applicants a temporary exemption from the provisions of section 9 (a) pending the disposition of the respective applications for permanent or further exemption from the provisions of such section; and

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications;

*It is ordered,* That the proceedings on the aforesaid applications be and the same hereby are consolidated;

*It is further ordered,* Pursuant to section 40 (a) of said act, that a hearing on the consolidated matter be held on September 12, 1945 at 10:00 A. M., eastern war time, in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania;

*It is further ordered,* That Charles S. Lobingier or any other officer of the Commission designated by it for that purpose shall preside at the hearing on this matter. The officer so designated is hereby authorized to execute all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicants and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 45-16423; Filed, Sept. 1, 1945;  
11:26 a. m.]

